

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB1409

Patron: Schmidt

Bill Title: Virginia Residential Landlord and Tenant Act; prohibited provisions in rental agreements; landlord's maintenance responsibilities.

Bill Summary: Prohibits a rental agreement from containing any provision stating that the tenant agrees to pay (i) any fee for the maintenance of the premises, including the maintenance or provision of heating and cooling systems, pest control, trash disposal, common area utilities, and mail or package delivery; (ii) a fee for internet, cable, or any other utilities or services that amount to more than the cost paid by the landlord; or (iii) for the maintenance or security of the common areas. The bill also repeals the provision allowing the landlord and tenant to agree in writing that the tenant may perform certain duties typically assigned to the landlord and also specified repairs, maintenance tasks, alterations, and remodeling, but only if the transaction is entered into in good faith and not for the purpose of evading the obligations of the landlord and if the agreement does not diminish or affect the obligation of the landlord to other tenants in the premises.

Budget Amendment Necessary: No.

Items Impacted: N/A.

Explanation: This bill involves the Department of Housing and Community Development (DHCD) and the Courts; however, no budget action is required.

Fiscal Summary: It is anticipated that any state fiscal impact that may result from this bill to DHCD can be absorbed within existing resources. Any fiscal impact that may result from this bill to the Courts is indeterminate.

Fiscal Analysis: DHCD has no oversight or administrative obligations regarding the Virginia Residential Landlord and Tenant Act. The department does update and publish on its website the Landlord Tenant Handbook. Any legislative changes made to the Act will be updated, but the department can do so using current resources.

Any impact to the Courts as a result of this bill is indeterminate, as it depends on the number of parties that pursue damages. Cumulatively, this bill and similar proposed legislation may result in a nonabsorbable impact to the Courts.

Other: None.