

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

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ORIGINAL

Bill Number: HB1078E

Patron: Hernandez

Bill Title: Virginia Residential Landlord and Tenant Act; adverse action by landlord; tenant remedies.

Bill Summary: Expands the circumstances under which a landlord must mitigate adverse credit considerations for rental applicants who are victims of family abuse to include negative rental payment history. The bill also prohibits certain landlords from taking adverse action against prospective tenants based on a history of dismissed or nonsuited unlawful detainer cases, establishes a private right of action for violations of this prohibition, authorizes recovery of actual damages, statutory damages of \$250, and reasonable attorney fees, and clarifies that lawful consideration of an applicant's rental payment history is not otherwise precluded.

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. See Fiscal Analysis section, below.

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.