

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 55.1-1235 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; tenant remedies; early termination of rental agreement by military personnel.

[S 325]

Approved

Be it enacted by the General Assembly of Virginia:
1. That § 55.1-1235 of the Code of Virginia is amended and reenacted as follows:
§ 55.1-1235. Early termination of rental agreement by military personnel.

A. Any member of the Armed Forces of the United States or a member of the National Guard serving on full-time duty or as a civil service technician with the National Guard may, through the procedure detailed in subsection B, terminate his rental agreement if the member (i) has received permanent change of station orders; (ii) has received temporary duty orders in excess of three months' duration; (iii) is discharged or released from active duty with the Armed Forces of the United States or from his full-time duty or technician status with the National Guard; (iv) is ordered to report to government-supplied quarters resulting in the forfeiture of basic allowance for quarters; or (v) has received a stop movement order in response to a local, national, or global emergency that is effective for an indefinite period or for a period of not less than 30 days and that prevents the service member from occupying the leased dwelling unit for a residential purpose.

B. Tenants who qualify to terminate a rental agreement pursuant to subsection A shall do so by serving on the landlord a written notice of termination to be effective on a date stated in such written notice, such date to be not less than 30 days after the first date on which the next rental payment is due and payable after the date on which the written notice is given. The termination date shall be no more than 60 days prior to the date of departure necessary to comply with the official orders or any supplemental instructions for interim training or duty prior to the transfer. Prior to the termination date, the tenant shall furnish the landlord with a copy of the official notification of the orders or a signed letter, confirming the orders, from the tenant's commanding officer.

C. The landlord may not charge any liquidated damages.

D. Nothing in this section shall affect the tenant's obligations established by § 55.1-1227.