



# 2024 Legislative Agenda

Updated 2/9/2024

HOME ensures equal access to housing for all people. Our policy work advances this mission by protecting and advancing the housing rights of those whose housing choices have been historically restricted or are currently limited due to segregation and discrimination. We seek to protect equal access to homeownership, fair credit, neighborhood choice, and housing that is safe, affordable, and free from discrimination.

## **Fair Chance Access to Housing (SB588/HB1207)**

Patrons - [Senator Louis Lucas](#) and [Delegate Cliff Hayes](#)

Tenant screening practices pose discriminatory barriers to housing access, especially for those with a criminal record. Due to these barriers, formerly incarcerated Virginians are seven times more likely to face homelessness. The bill will create fair access to affordable housing by requiring affordable housing providers to conduct a nuanced individual assessment rather than implement a blanket ban on applicants with criminal records.

## **Transparency in Tenant Screening (HB996)**

Patron - [Delegate Bonita Anthony](#)

Many tenants get turned away from housing based on results of third-party tenant screening reports and don't know the reason for the denial. HB996 creates transparency in the rental application process by requiring landlords to disclose the amount of the application fee, what information about the applicant they will review, and what criteria will result in an automatic denial. If the landlord denies the tenant's application, the landlord must provide the tenant with a detailed notice with the reasons for the denial.

## **Fix Process for Amending Eviction Court Papers (HB86)**

Patron - [Delegate Patrick Hope](#)

HB86 protects the due process rights of tenants in eviction cases by requiring landlords to notify them of their intent to increase the amounts they are seeking in the lawsuit and what those amounts may be. Under current law, landlords can file an eviction lawsuit and then - without notice to the tenant - amend the filing at the court hearing to add amounts they had not listed on the lawsuit, but which they claim have accrued since the filing; the court must grant the amendment. This results in tenants getting sued for one amount and then without notice or meaningful opportunity to answer any changes to the lawsuit, receiving judgments against them for significantly higher amounts. HB86 reinstates the requirement that landlords give tenants notice before they can amend the lawsuit upwards.



## End Bifurcation in Eviction Cases (HB740)

Patron - Delegate Rae Cousins

This bill provides defendants in eviction cases with a meaningful opportunity to have their day in court before getting evicted by ending the practice of bifurcation in eviction lawsuits when the defendant contests the amount of rent and damages alleged to be due and owing. Under current law, judges are required to bifurcate eviction cases upon request of the plaintiff, meaning the judge must grant the plaintiff a judgment for immediate possession and allow the plaintiff to take the next steps to evict the defendant, and continue the remainder of the case for up to 120 days to determine final rent and damages. This occurs most often where the defendant admits to the court that they owe some amount of rent, but disagrees as to the amount the plaintiff alleges they owe. This bill ensures defendants get a full hearing to determine how much rent they owe before getting evicted.

## Tenants' Assertion Reform (HB1251)

Patron - Delegate Rae Cousins

This bill will ensure tenants have access to the judicial system and can recover when their landlord refuses to fix unsafe conditions in the home. HB 1251 removes the requirement that tenants be current on rent in order to file a "Tenant's Assertion" lawsuit against their landlord and hold them accountable for unsafe housing conditions. **Our families deserve safe, quality housing and to have their right to a healthy home vindicated in court.**

## Strengthen Anti-Retaliation Laws (HB817)

Patron - Delegate Adele McClure

HB817 strengthens existing code by expanding the definition of retaliatory acts to include other types of bad landlord behavior, such as threats and harassment and imposing and enforcing new rules. It also ensures tenants are protected when they attempt to improve their living conditions or hold their landlord accountable. Most importantly, HB817 gives tenants a shot at justice in the courtroom by removing the requirement that the tenants prove the landlord's intentions. Tenants deserve to be treated with basic human decency, especially when it involves the sanctity of their home.

## Extend the Eviction Diversion Pilot Program (SB50/HB477)

Patron – Senator Mamie Locke and Delegate Carrie Coyner

The Eviction Diversion Pilot Program is set to expire on July 1, 2024, but we need more time to improve the program so that it works for more tenants and assess what does and doesn't work. HOME supports extending the sunset of the Eviction Diversion Program to July 1, 2025, and calls on the legislature to form a work study group to figure out how to fix or reform the program.

**For more information contact:**

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