Evictions in Virginia: An unforgiving rush to judgment

By Letters to the Editor

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Regarding the Nov. 19 letter from National Apartment Association chief executive Robert Pinnegar, “Working to reduce evictions”:

The Virginia Apartment Management Association, Virginia Realtors and other landlord associations support proposals to reduce evictions in Virginia. Among them: eliminate repetitive filings of eviction lawsuits, cut from 12 to six months the time during which a landlord can seek eviction after a judgment of possession, allow a tenant to “pay and stay” up to 48 hours before the eviction, and reform the appeal bond process. However, they oppose changing the nonpayment notice period from five to 14 days, limiting late fees to 10 percent, strengthening prohibitions against retaliatory eviction and allowing tenants to withhold rent when a landlord refuses to make necessary repairs.

Virginia’s eviction process is an unforgiving rush to judgment. If rent is unpaid, the landlord can have an eviction lawsuit heard in court as early as five weeks later. To pay and stay, the tenant must pay the old rent and late fees, a new month’s rent and late fees, court costs and attorney’s fees. When evictions go before a judge, tenants win less than 1 percent of the time.
Progress is being made on making Virginia’s laws more fair, favorable and friendly to tenants, but more needs to be done. The National Apartment Association is welcome to join the effort.

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