

HOUSE BILL 407

By Delegate Glenn Oder

WATER AND SEWER DELINQUENT PAYMENT

Many localities or their Water and/or Sewer Authorities have the ability to place liens on property (owners) for delinquent water and sewer charges. That same authority applies to rental units. Meaning, many property owners are being required to pay the delinquent water and sewer bills for tenants that vacate their rental property. Often such bills are received long after an apartment or rental home is vacated and the delinquent charges can be substantial (\$\$).

HBAV would urge your support for House Bill 407, the annual Landlord and Tenant Laws Clean-Up Legislation.

Among its many provisions is a provision that states: if the landlord has not received the final water, sewer or other utility bill for the dwelling unit within the 45 day period, the landlord may provide written notice to the tenant that a portion of the security deposit is being held pending settlement of the water, sewer or other utility account, after which settlement, the landlord shall refund any remaining balance within 10 days. The tenant may provide the landlord written confirmation of the final settlement of such charges within the 45 day period, in which case the landlord shall refund the security deposit unless other deductions shall apply.

The members of HBAV and VAR believe such a balanced approach to this statewide problem will allow landlords protection from such charges and will allow for the payment of the same by the appropriate responsible party.

House Bill 407 has passed the House of Delegates and will soon be considered by the Senate Committee on General Laws.