

Virginia Landlord-Tenant Laws: Rights and Duties for Both Sides

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/virginia-landlord-tenant-rights>

Virginia landlords must offer a written lease that comes with the state's statement of tenant rights, give 72 hours of notice before routine maintenance the tenant did not request, and keep the unit fit and habitable. Tenants can pay rent into court escrow when serious problems are not fixed.

Key points

- Entry must be at reasonable times with notice, and routine maintenance the tenant did not request needs at least 72 hours of notice; no notice is needed in an emergency or when the tenant asked for the work.
- Landlords must keep the unit fit and habitable, and if a serious problem is not fixed after written notice, the tenant can ask the general district court to let them pay rent into an escrow account.
- A landlord may not raise rent, cut services or seek possession because a tenant complained to a code agency, complained to or sued the landlord, joined a tenant group or testified against the landlord.
- A late fee is allowed only if the written lease provides for it, and it cannot exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due.
- Under the default terms that apply when no written lease is signed, rent is due on the first and late if not paid by the fifth. A written lease can set its own due date and late fee terms within the cap.

Virginia at a glance

Rule	Virginia	Law
Notice before entry	Entry must be at reasonable times with notice, and routine maintenance the tenant did not request needs at least 72 hours of notice; no notice is needed in an emergency or when the tenant asked for the work.	Va. Code 55.1-1229
Tenant repair remedies	Landlords must keep the unit fit and habitable, and if a serious problem is not fixed after written notice, the tenant can ask the general district court to let them pay rent into an escrow account.	Virginia Residential Landlord and Tenant Act (tenant's assertion and rent escrow)

Rule	Virginia	Law
Retaliation protection	A landlord may not raise rent, cut services or seek possession because a tenant complained to a code agency, complained to or sued the landlord, joined a tenant group or testified against the landlord.	Va. Code 55.1-1258
Late fees	A late fee is allowed only if the written lease provides for it, and it cannot exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due.	Va. Code 55.1-1204(E)
Grace period	Under the default terms that apply when no written lease is signed, rent is due on the first and late if not paid by the fifth. A written lease can set its own due date and late fee terms within the cap.	Va. Code 55.1-1204
Deadline to return the deposit	The landlord must return the deposit, with a written itemized list of any deductions, within 45 days after the tenancy ends or the tenant moves out, whichever is later.	Va. Code 55.1-1226(A)

Mistakes to avoid

- Entering a unit without the notice the lease or the law requires.
- Letting a written repair request sit without a reply or a plan.
- Leaving required disclosures out of the lease packet.
- Applying screening criteria differently from one applicant to the next.
- Raising rent or ending a tenancy soon after a complaint without a documented, unrelated reason.

Verify current law

Laws named in this summary:

- Va. Code 55.1-1229
- Virginia Residential Landlord and Tenant Act (tenant's assertion and rent escrow)
- Va. Code 55.1-1258
- Va. Code 55.1-1204(E)
- Va. Code 55.1-1204
- Va. Code 55.1-1226(A)
- Va. Code 55.1-1203

- Virginia Fair Housing Law
- Va. Code 55.1-1204(B) and (H)
- Va. Code 55.1-1204.1
- Virginia Residential Landlord and Tenant Act
- Residential Lead-Based Paint Hazard Reduction Act (42 U.S.C. 4852d)

Official sources:

- Code of Virginia (Virginia Legislative Information System):
<https://law.lis.virginia.gov/vacode/title55.1/chapter12/>
- Virginia Department of Housing and Community Development: tenant rights statement:
<https://www.dhcd.virginia.gov/>
- Virginia's Judicial System: <https://www.vacourts.gov/>

General information, not legal advice. Check current law and talk to a Virginia attorney before you act. Last reviewed October 29, 2026.