

Property Management Obligations under the Virginia Residential Landlord Tenant Act

June 20, 2024
By Anders Sleight



The relationship between landlords and tenants in Virginia is governed by the lease agreement and the Virginia Residential Landlord Tenant Act (VRLTA). Under the VRLTA, landlords and property managers must maintain rental properties fit and habitable. The Virginia Court of Appeals defined 'fit and habitable' as "the premises must be livable, free from serious defects to health and safety, and have necessary qualities for habitability." *Parrish v. Vance*, 80 Va. App. 426, 438, 898 S.E.2d 407, 412 (2024). Accordingly, landlords and property managers must ensure properties maintain the following standards:

1. **Warranty of Habitability:**

1. Landlords must maintain rental properties in a fit and habitable condition throughout the tenancy. This includes ensuring that the premises are structurally sound, free from significant defects, and comply with applicable building and housing codes. See § 55.1-1220. Landlord to maintain fit premises (virginia.gov).
2. The warranty of habitability obligates landlords to address issues such as plumbing and electrical problems, pest infestations, heating and cooling systems, and other essential amenities necessary for safe and comfortable living conditions.
3. This warranty cannot be waived or disclaimed, even if the lease states the warranty is disclaimed. *Parrish v. Vance*, 80 Va. App. at 440.

2. **Repairs and Maintenance:**

1. Landlords are responsible for making necessary repairs to ensure the rental property remains habitable. This includes repairing or replacing faulty appliances, addressing water leaks, fixing broken windows or doors, and maintaining common areas such as stairwells and hallways.
2. Landlords must respond promptly to maintenance requests from tenants and take reasonable steps to address issues within a reasonable timeframe. Failure to do so may constitute a breach of the implied warranty of habitability.
3. In the *Parrish v. Vance* case, the Court of Appeals of Virginia affirmed a Circuit Court's decision to terminate a lease and award damages to a tenant where a landlord failed to remediate a flea infestation in a rental property timely. *Parrish v. Vance*, 80 Va. App. at 438.

3. **Common Areas and Facilities:**

1. Landlords are also responsible for maintaining common areas and facilities provided for tenants' use. This includes parking lots, sidewalks, laundry rooms, and recreational facilities.

2. Common areas must be kept clean, well-lit, and free from hazards to ensure the safety and security of tenants. Landlords should regularly inspect and maintain these areas to prevent accidents and injuries.

The Virginia Residential Landlord Tenant Act imposes significant obligations on landlords regarding the maintenance and upkeep of rental properties. Landlords must fulfill their duty to maintain habitable living conditions, address repair requests promptly, and ensure the safety of tenants. Understanding these rights and responsibilities is essential for fostering a harmonious landlord-tenant relationship and protecting the interests of both parties. If you or your organization have a landlord-tenant related claim, consulting with a trusted attorney in your area is critical. While outcomes cannot be guaranteed and past performance cannot assure future success, Offit Kurman real estate litigator [Anders Sleight | Offit Kurman](#) is available to evaluate your specific situation.