

**COMMENTARY OPEN FORUM**

# Advice to landlords

## Know the law, then draft a good lease

ANNA HAMMOND

I think it would be helpful to the public's understanding of the issues raised in the recent articles on the damage to Julie Hayes' rental property to provide another perspective: that of the local legal aid office that represents tenants in landlord-tenant disputes on a weekly basis.

It is undeniable the damage Ms. Hayes' tenant left behind was extreme, uncondonable. However, the implication created by your coverage, that our current laws do not adequately protect landlords, is not the case, in our experience.

There are many carefully crafted provisions in Virginia's current law that protect landlords, including provisions that enable landlords to inspect rental properties upon reasonable notice to tenants, and laws enabling a landlord to get into court more quickly than in other civil cases. Despite heavy caseloads, local judges are vigilant in making sure that the laws are applied fairly and expeditiously.

However, in order to take advantage of the protections provided under the current law, you need to know the law and your rights. The real lesson to be learned from Ms. Hayes' ordeal is that both landlords and tenants need to understand and be familiar with the laws that govern residential rental property. The time and minimal expense incurred in utilizing a well-drafted lease at the beginning of a tenancy can prevent a costly ordeal during or at the end of a tenancy.

Similarly, knowing what to do if your tenant doesn't pay the rent, or, conversely, what to do if your landlord doesn't make a necessary repair, can save you much precious time, money, and needless inconvenience while ensuring that your rights are adequately protected.

Our current laws provide a reasonable balance of rights and protections for landlords *and* tenants, if they are knowledgeably utilized.

Anna Hammond is managing attorney at Blue Ridge Legal Services Inc. in Winchester.