

*ADOPTION OF AN AMENDMENT TO  
CHAPTER 12 (TENANT-LANLORD RELATIONS)  
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA*

*At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, March 18, 2025, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Chapter 12 (Tenant-Landlord Relations) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:*

*BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY,  
VIRGINIA:*

*That Chapter 12 (Tenant-Landlord Relations) is amended as follows:*

1  
2  
3 **AN ORDINANCE AMENDING**  
4 **CHAPTER 12 OF THE FAIRFAX COUNTY CODE, RELATING TO**  
5 **TENANT-LANDLORD RELATIONS**  
6

7 **As Adopted**  
8

9 **AN ORDINANCE** to amend the Fairfax County Code by amending and readopting  
10 the Chapter 12 heading, Sections 12-1-1, 12-1-2, 12-1-4 and 12-3-1, and repealing  
11 Sections 12-2-1, 12-2-2 and 12-2-3, relating to Tenant-Landlord relations.

12 **Be it ordained by the Board of Supervisors of Fairfax County:**

- 13 **1. That Sections 12-1-1, 12-1-2, 12-1-4 and 12-3-1 are amended and readopted, and**  
14 **Sections 12-2-1, 12-2-2 and 12-2-3 are repealed as follows:**

15 **CHAPTER 12. Tenant—Landlord Relations. [4]**  
16

17 ~~Footnotes:~~

18 ~~—(1)—~~

19 ~~1. As to "Virginia Landlord and Tenant Act," see Va. Code Ann., § 55-248.2 thru § 55-248.40.~~  
20

21 **ARTICLE 1. In General.**  
22

23 **Section 12-1-1. Definitions.**  
24

25 (a) For the purposes of this Chapter, the following words and phrases shall have the meanings  
26 ascribed to them by this Section:  
27

28 (1) Landlord shall mean any person, firm, corporation, or other legal entity who is the  
29 owner, lessor or sublessor of the dwelling unit or building of which such dwelling unit is  
30 a part; and landlord also means a manager of the premises who fails to disclose the name  
31 of such owner, lessor, or sublessor, except as otherwise provided by the Virginia  
32 Residential Landlord and Tenant Act, Code of Virginia Va. Code §§ 55.1-1200 through -  
33 1262, as amended, Chapter 13.2 of Title 55. Landlord shall also include any owner or  
34 sublessor of a mobile home park pursuant to the Manufactured Home Lot Rental Act,  
35 Virginia Va. Code §§ 55.1-1300 through -1319, as amended. Code of Virginia, Chapter  
36 13.3 of Title 55.  
37

38 (2) Tenant shall mean any person entitled under any rental agreement to occupy a  
39 dwelling unit to the exclusion of others and shall include roomer as defined in Virginia  
40 Va. Code § 55.1-1200, as amended. Code of Virginia, Section 55-248.4(k). Tenant shall  
41 also include a person entitled under a rental agreement to occupy a mobile home lot to the  
42 exclusion of all others.  
43

(3) Director shall mean the Director of the Fairfax County Department of Cable and Consumer Services. ~~Affairs.~~

(4) Department shall mean the Fairfax County Department of Cable and Consumer Services. ~~Affairs.~~

(5) ~~The Commission shall mean the Fairfax County Tenant-Landlord Commission.~~  
Reserved.

(6) Conversion condominium shall mean a condominium containing structures which, before the recording of the condominium declaration, were wholly or partially occupied by persons other than those who have contracted for the purchase of condominium units and those who occupy with the consent of such purchasers.

(7) Cooperative shall mean real estate owned by an association, each of the members of which is entitled, by virtue of his ownership interest in the association, to exclusive possession of a unit.

(8) Conversion building shall mean a building that at any time before creation of the cooperative was occupied wholly or partially by persons other than purchasers and persons who occupy with the consent of purchasers.

(9) Declarant shall mean any or all person(s) acting in concert who:

(A) Offers to dispose of his or its interest in a condominium unit not previously disposed of, in the case of a condominium, or who, in the case of a cooperative, as a part of a common promotional plan, offers to dispose of his or its cooperative interest not previously disposed of;

(B) Reserves or succeeds to any special declarant right; or

(C) Applies for registration of the condominium under the Virginia Condominium Act or applies for registration of a cooperative under the Virginia Real Estate Cooperative Act, as the case may be.

(10) ~~Elderly~~ shall mean a person not less than ~~sixty-two (62)~~ 62 years of age.

(11) Disabled shall mean a person suffering from a severe, chronic physical or mental impairment which results in substantial functional limitations.

#### **Section 12-1-2. Signs in office of landlord.**

Every landlord shall post, in a conspicuous place in that portion of his or her office or offices normally used for negotiating the rental of dwelling units or the rental of mobile home lots or for normal tenant contact with management personnel, a sign containing notice of the existence of the Fairfax County ~~Tenant-Landlord Commission~~ Department of Cable and Consumer Services

and the telephone number of its office. Landlords shall obtain such signs from the Fairfax County Department of Cable and Consumer Affairs Services.

**~~Section 12-1-4. Locks and peepholes. (Repealed, effective July 1, 1989)~~**

~~(a) This Section shall apply to multifamily rental housing constructed prior to February 7, 1976. Multifamily rental units constructed after the above date shall be governed by the requirements of Sections 612.5.6 and 612.5.7 of the Uniform Statewide Building Code.~~

~~(1) Any landlord who rents five (5) or more dwelling units in any one (1) building shall upon the written request of the tenant install a deadbolt lock with not less than five eighths inch ( $\frac{5}{8}$ " ) throw case hardened steel inserts on all exterior swinging doors. The locks on these doors shall be capable of being locked or unlocked by key from the outside or public hallways and by turn-knob from the inside. Alternate devices providing equal security may be substituted with prior approval by proper County authority.~~

~~(2) In addition, at the written request of the tenant, all exterior doors shall be equipped with a visual detection device (magnifying peephole) which will allow for inspection of the exterior entryway prior to allowing entry. A visual detection device shall not be required on any exterior door having a transparent glass panel. Once installed, said deadbolt locks and peepholes shall become permanent fixtures of the dwelling unit and it shall thus be the landlord's responsibility to maintain said fixtures in good working condition.~~

~~(3) The installation of deadbolt locks and visual detection devices shall occur within sixty (60) days after receipt of the tenant's request. The actual cost of such locks and peepholes installed to bring the dwelling unit into compliance with this Section may be charged to the tenant. However, in no event shall the charges to the tenant exceed Twenty five Dollars (\$25.00) per lock and Ten Dollars (\$10.00) per peephole.~~

~~(4) Within thirty (30) days following the effective date of this Ordinance all landlords who rent five (5) or more dwelling units shall notify in writing the tenants of all dwelling units which are not equipped with deadbolt locks and visual detection devices meeting the requirements of this section of the rights afforded them by this Section.~~

**~~Section 12-1-4. Locks and peepholes. (Effective July 1, 1989)~~**

(a) Any landlord who rents ~~five (5)~~ 5 or more dwelling units in any one multifamily building shall install:

(1) Deadbolt locks ~~which that~~ meet the requirements of the Uniform Statewide Building Code, Virginia Va. Code §§ 36-97 through -119.1, as amended, for new multifamily construction and peepholes in any exterior swing entrance door to any such unit; however, any door having a glass panel shall not require a peephole.

(2) Manufacturer's locks ~~which~~ that meet the requirements of the Uniform Statewide Building Code and removable metal pins or charlie bars in accordance with the Uniform Statewide Building Code, Virginia Va. Code §§ 36-97 through -119.1, as amended, on exterior sliding glass doors located in a building.

(3) Locking devices ~~which~~ that meet the requirements of the Uniform Statewide Building Code, Virginia Va. Code §§ 36-97 through -119.1, as amended, on all exterior windows.

## **ARTICLE 2. Tenant-Landlord Commission. - Reserved.**

### **Section 12-2-1. Created; members; staff; meetings.**

~~(a) There is hereby created a Tenant-Landlord Commission. The Commission shall be composed of ten (10) members, three (3) of whom shall represent tenants (hereinafter called "tenant members"), three (3) of whom shall represent landlords (hereinafter called "landlord members"), and four (4) of whom shall represent the community at large (hereinafter called "public members," one (1) of whom shall be a condominium unit owner). All members shall be residents of Fairfax County, Virginia. Members of the Commission shall be appointed by the Board of Supervisors for terms of three (3) years each. The terms shall be staggered with no more than four (4) and no less than three (3) terms to commence in any one (1) year. Vacancies shall be filled by the Board of Supervisors as they arise. A Chairperson shall be elected by the Commission from among the public members of the Commission. The Commission may adopt bylaws and rules and regulations governing the conduct of its responsibilities and duties hereinunder.~~

~~(b) For purposes of membership on the Tenant-Landlord Commission, a "tenant member" shall be defined as a person who, prior to the time of his or her appointment, and throughout his or her term, shall be the lessee of and reside in a dwelling unit in Fairfax County; a "landlord member" shall be defined as a person who owns and leases, or serves as a manager for, four (4) or more leased dwelling units in Fairfax County or is employed by a real estate management firm that manages more than four (4) rental units; and a "public member" shall be defined as anyone who is neither a lessee nor lessor of any dwelling unit in Fairfax County.~~

~~(c) When a person occupying a "tenant," a "landlord," or a "public" position on the Commission ceases to meet the qualifications for that position as defined above, he or she shall be deemed to have automatically and immediately vacated such position on the Commission.~~

~~(d) The Commission shall meet at the call of the Chairperson, or four (4) members of the Commission after notice to all members, or upon request of the Board of Supervisors. The staff of the Commission shall be supplied by the Department of Consumer Affairs. The Director of the Department of Consumer Affairs, or his designee, shall, at the pleasure of the Commission, attend all meetings of the Commission.~~

### **Section 12-2-2. Duties of the commission.**

~~(a) The Commission shall provide information to the public concerning the rights and responsibilities of tenants and landlords.~~

~~(b) The Commission shall forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.~~

~~(c) The Commission, or its duly appointed representatives, shall represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative and other public or private bodies upon direction of the Board of Supervisors.~~

~~(d) The Commission shall advise the Board of Supervisors about the nature, causes and possible solutions to tenant-landlord problems.~~

~~(e) The Commission may hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interest.~~

~~(f) The Commission shall make tenants and landlords aware of the conciliation and mediation services available through the Fairfax County Department of Consumer Affairs.~~

~~(g) The Commission may arbitrate tenant-landlord complaints, upon agreement of the parties, pursuant to the Rules of Procedures adopted by the Commission.~~

~~(h) The Commission shall report periodically to the Board of Supervisors on the activities of the Commission.~~

### **~~Section 12-2-3. Powers of the Commission.~~**

~~In carrying out its duties as described in Section 12-2-2, the Commission shall have the power to make findings of facts and to make and adopt such rules of procedure, which shall be published, as may be necessary or proper for carrying out its functions under the provisions of this Chapter.~~

## **ARTICLE 3. Department of Cable and Consumer Services. Affairs.**

### **Section 12-3-1. Duties of the Department of Cable and Consumer Services. Affairs.**

(a) The Department shall receive, investigate, record, and ~~attempt to resolve~~ mediate tenant-landlord complaints upon mutual agreement of the parties.

(b) The Department shall provide information to the public concerning the rights and responsibilities of tenants and landlords. ~~forward, when appropriate, complaints that cannot be successfully mediated to the Tenant-Landlord Commission for arbitration, upon agreement of the parties, pursuant to the arbitration procedures officially adopted by the Commission.~~

(c) The Department shall refer, when appropriate, suspected violations of law to the proper enforcing agency.

(d) The Department shall maintain records of tenant-landlord complaints and their disposition.

(e) The Department shall develop programs of tenant and landlord education and information and disseminate such information.

(f) The Department may provide advice and information on tenant and landlord relations matters to judicial, legislative, administrative and other public and private bodies.

(g) The Department shall analyze the nature of tenant-landlord relations problems in Fairfax County and recommend to the Board of Supervisors legislative and administrative changes.

**2. That the Fairfax County Tenant-Landlord Commission is dissolved.**

**3. That the provisions of this ordinance are severable, and if any provision of this ordinance or any application thereof is held invalid, that invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application.**

**4. That the provisions of this ordinance shall take effect upon adoption.**

*GIVEN under my hand this 18th day of March, 2025.*

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Jill G. Cooper  
Clerk for the Board of Supervisors