



# The Informed Tenant and Landlord

Consumer Affairs Branch Newsletter  
Fairfax County Department of Cable and Consumer Services

2021 Edition

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## Consumer Services

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## Renting in Fairfax County

Fairfax County is a great place to live, work, explore, and entertain. With public schools consistently rated among the best school systems in the nation, one of the largest library systems in the state, 24,000 acres of parkland, and a thriving business community, there is something for everyone.

Fairfax County offers a broad variety of housing for rent. You can choose from single family homes, townhouses, condominiums, apartment communities in suburban settings, and high-rise apartments with an urban look and feel.

The 2019 [Fairfax County Rental Housing Complex Analysis](#) data indicate the total number of rental complex apartments and townhouses in Fairfax County was 81,501 in January 2019. However, the total inventory of available rental units is much greater because this number does not include units leased by individual owners directly to tenants.

### Why Rent?

Maintenance free living is at the top of the list for reasons why people choose to rent. Following are some other reasons:

- Flexibility to move or relocate
- No upkeep fees for repairs and maintenance
- Live in neighborhoods where purchasing a home is not affordable
- Amenities such as a fitness center, swimming pool, tennis court, club house, parking, playgrounds,



## Rental Housing Programs in Fairfax County

Fairfax County offers the following rental housing programs:

- [Rental Assistance Demonstration Assistance Project-Based Voucher Program \(RAD\)](#)
- [Fairfax County Rental Program \(FCRP\)](#)
- [Housing Choice Voucher Program](#)
- [Senior Housing and Assisted Living Communities](#)
- [Privately-Owned Affordable Rental Housing Options](#)
- [Magnet Housing](#)
- [Accessible Housing](#)

*Contact each program for details and to find out about criteria and eligibility requirements to apply*

### Need Legal Advice?

Legal Services of  
Northern Virginia

703-778-6800  
866-534-5243

Fairfax Lawyer Referral &  
Information Service

703-246-3780

Virginia Lawyer Referral  
Service

800-552-7977

*Tenants and landlords should understand lease agreements, laws, security deposits requirements, and the importance of keeping open communication during good as well as difficult times during the rental relationship.*

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## Residential Lease Agreements

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The foundation of a good, solid rental relationship starts with the lease agreement. Not only does a lease agreement specify the period of time a landlord will allow a tenant to use a dwelling unit in return for payment of a set rent amount, but it also outlines the terms and conditions that apply throughout the rental. The tenant and landlord should agree with all of the terms before the landlord accepts rent money, and the tenant takes possession of the dwelling. Tenants and landlords need to be sure they understand and agree with all of the provisions of a lease and make a commitment to follow the agreement. Landlords need to provide and tenants need to sign the [Virginia Statement of Tenant Rights and Responsibilities](#) required by the [Virginia Residential Landlord and Tenant Act](#).

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## Security Deposits

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A security deposit is money required by the landlord to cover the cost of damages caused by the tenant or charges owed due to a breach of the lease agreement. When a landlord accepts a security deposit from a tenant, they must follow applicable laws and tenants must follow guidelines to protect the return of their security deposit. To avoid disagreements, tenants and landlords should have a signed move-in inspection report which outlines the condition of the dwelling when the tenant moved in. The security deposit is the tenant's money throughout the tenancy. If the tenant does not owe any rent, and leaves the unit in generally the same condition as when they moved in, less reasonable wear and tear, the landlord should refund the deposit. If there are deductions, the landlord should provide a written notice to the tenant with an itemized statement of damages and charges deducted from the deposit as required by [§ 55.1-1226](#) of the Virginia Residential Landlord and Tenant Act.

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## Open Communication

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**Be responsive** - As a landlord, it is important to respond to all communication from tenants in a timely manner. Check in with your tenants periodically and make sure they know how to contact you for routine maintenance, repairs as well as for emergencies.

**Be responsible** - Tenants should treat their dwelling as if they owned the home. This means regular cleaning and immediate reporting of any maintenance or repairs needs. If something is damaged, correct it right away. Small problems left unattended can create costly or expensive repairs later.

**Understand the Laws** - Laws were established for the safety and welfare of tenants and landlords. Everyone has the right to a clean and sanitary rental property with working appliances and plumbing, electrical, and other systems in good working order. Landlords have the right to expect that a tenant will keep the residence in good condition.

**Have Insurance** - When the unexpected happens, both tenants and landlords need insurance. Read the [Renters Insurance Consumer Guide](#) to be sure you have the coverage you need in the event of loss, theft or damage to personal property.

### Coordinated Services Planning

Your connection to services that help with basic needs such as housing, food, clothing, and other essential needs

(703) 222-0880

### Save Money by Saving Energy

Whether you're renting an apartment, townhouse, condominium or single family home, you can save money

[Energy Saving Tips for Renters](#)

### Tenant-Landlord Laws

[The Virginia Residential Landlord and Tenant Act \(VRLTA\)](#)

[The Fairfax County Code](#)

[Virginia Maintenance Code](#)

[Zoning Ordinance and Safety Rules](#)

[Protecting Tenants at Foreclosure Act \(PTFA\)](#)



Visit us on  
**Facebook**

### Ask a Consumer Specialist

Specialists are available Monday through Friday from 8:00 a.m. - 4:30 p.m. for walk-in and call-in assistance.

Call:  
703-222-8435 TTY: 711  
[consumer@fairfaxcounty.gov](mailto:consumer@fairfaxcounty.gov)

### File A Complaint

If you have a problem that you are unable to resolve after first contacting your landlord, you may file a written complaint for voluntary mediation with Consumer Affairs [online](#), or call and a complaint form will be mailed to you.

### Search Complaint History

Research [complaint history](#) of a landlord before you rent.

### In the Spotlight: Channel 16

[Consumer Focus](#) with [Live Video Streaming](#) or anytime with [Video on Demand](#)

### Consumer Affairs Branch

12000 Government Center Parkway  
Suite 433  
Fairfax, VA 22035  
703-222-8435 TTY: 711  
Fax: 703-653-1310  
[consumer@fairfaxcounty.gov](mailto:consumer@fairfaxcounty.gov)

## Who to Call for Maintenance and Repairs?

*If you have a problem in your rental unit, contact the landlord or community manager first. Follow up in writing and keep a copy of your written communication. If you do not get the help you need, contact the county agency below that is responsible for addressing your issue, or use the online [Community Complaint Form](#). If you are not sure who to contact, call Consumer Affairs.*

### Fairfax County Department of Code Compliance

[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code) 703-324-1300 TTY 711

- No heat from October 15 - May 1, or air conditioning from May 15 - October 1
- No utilities
- Electrical system hazards
- Plumbing problems and hazards, such as leaking water or flooding
- Sewage backup inside the apartment
- Broken doors or windows
- Cracks or holes in exterior walls
- Structural damage caused by rat, mouse or insect infestation
- Noise complaints regarding animals, construction activity, and equipment
- Overcrowding
- Deteriorated stairways, walkways, steps, entrance ways, or breezeways
- Unpermitted construction or demolition

### Public Works and Environmental Services

[www.fairfaxcounty.gov/publicworks/recycling-and-trash](http://www.fairfaxcounty.gov/publicworks/recycling-and-trash) 703-324-5230 TTY 711

- Overflowing trash and garbage outside the dwelling
- Missed trash and recycle pick-ups, mixing of trash and recycle set-outs for private haulers
- Bulk items, brush or yard debris left within 10 feet of the curb line more than 10 days
- Trash and recycle collections made during prohibited hours of 9 p.m. - 6 a.m.
- Complaints regarding trash bags set out more than 12 hours in advance of collection

### Fairfax County Health Department

[www.fairfaxcounty.gov/health/environment](http://www.fairfaxcounty.gov/health/environment) 703-246-2201 TTY 711

- Information on prevention and control of roach, rat, mouse or other infestation that causes illness
- Tick identification
- Tick and mosquitoes surveillance and public education
- Information on prevention and control of bed bugs
- Information on mold, radon, and lead paint
- Inspection and permitting of public and community swimming pools

### Fairfax County Consumer Affairs

[www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord](http://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord) 703-222-8435 TTY 711

- Information about the rights and responsibilities of tenants and landlords
- Guidance when you have a dispute or problem regarding a residential lease agreement
- Voluntary mediation or arbitration
- Education, outreach, and publications about tenant-landlord matters and issues
- Tenant-Landlord Commission

## Bed Bugs: They're Here!

Made famous by the phrase, “sleep tight, don’t let the bed bugs bite”, bed bugs are back in action. Although they aren’t at the top of the list of unwanted bugs that invade our living areas, they continue to rise in notoriety. The first line of defense against bed bugs is to be aware of what they are, and how you can avoid letting them into your home.



To get the message out, The Fairfax County Tenant-Landlord Commission, in partnership with the Department of Cable and Consumer Services, and the Fairfax County Health Department, offer a fact filled informational *Consumer Focus* program on Channel 16 about *Bed Bugs*. You can watch [Consumer Focus](#) on your computer or anytime with [Video on Demand](#). To take the bite out of bed bugs, here are some tips:

### ASK QUESTIONS

If you suspect bed bugs or have bed bugs, notify your landlord or property management company if you live in a rental property or contact a pest control professional for your home. Follow all instructions and requirements for treatment and don’t let up until the infestation is eliminated.

### DON’T TRY HOME REMEDIES

Store bought sprays or oils advertised on the Internet or available in retail stores may actually cause bed bugs to spread or create a hazardous situation. Hire a licensed, qualified pest control professional. Contact the Virginia Department of Agriculture and Consumer Services, [Office of Pesticide Services](#) at 804-786-3798 for licensing and certification requirements for pest control professionals.

### DON’T PASS ON AN INFESTATION

Never place infested items in hallways or other common areas where you live. If you need to throw something away, mark it up or put a label on it that says “BED BUGS” so it won’t be tempting for someone to take.

### DON’T MOVE

If your apartment or rental home is being treated for bed bugs, don’t move until the treatment is completed. If you move, you might spread bed bugs and start the infestation cycle all over again.

### TALK ABOUT IT

Find out as much as you can about bed bugs. Make sure everyone in your home is aware of bed bugs so they know how to avoid and prevent them from moving into your home. Everything you need to know about bed bugs is available from the [Fairfax County Health Department](#) at 703-246-2201.

### LEARN MORE

Fact sheets, videos and workshop presentations are available in both English and Spanish from the Virginia Department of Agriculture and Consumer Services, Office of Pesticide Services’ [bed bug outreach and education program](#) at [www.vdacs.virginia.gov/pesticide-bedbug-fact-sheets.shtml](http://www.vdacs.virginia.gov/pesticide-bedbug-fact-sheets.shtml)

### BE ALERT

Make sure you know what might be sleeping in your mattress. From time to time, check all sleeping areas for signs of bed bugs. Avoid renting furniture and carefully inspect all used furniture before bringing it into your home. When traveling and after traveling, inspect all of your belongings to make sure bed bugs don’t hitch a ride home with you.

*By being alert, proactive, and knowing when to get professional pest management services,  
we can all be part of the solution, not the problem in dealing with  
the little bugs that create a big problem*

## Practice Fire Prevention Every Day of the Year

### Fire Safety Tips

According to the [National Fire Protection Association](#):

- Every 88 seconds, a fire department in the United States responds to a home fire somewhere in the nation.
- Fire is fast, you may have less than three minutes to escape, get out!
- Smoke is deadly, it kills more people than flames.
- Cooking is the number one cause of home fires and injuries, followed by heating equipment.
- Stay in the kitchen when you are frying, grilling, broiling, or boiling food. If you have to leave, turn the burner off.
- Keep anything that can burn at least three feet away from fireplaces, wood stoves, portable heaters, and radiators.
- When you leave a room or go to bed, turn heaters off or unplug them.
- Smoking is the leading cause of home fire deaths. Smokers should put cigarettes all the way out, all the time, and never smoke in bed or if drowsy.
- Be fire smart with electricity. If an electrical cord is frayed or broken, don't use it.
- [Smoke alarms](#) save lives. You should have a smoke alarm inside bedrooms and outside sleeping areas.
- [§ 55.1-1220](#) of the VRLTA requires landlords to provide a certificate to tenants stating that all smoke alarms present have been inspected, and are in good working order no more than once every 12 months.
- Fairfax County residents can get FREE battery-powered smoke alarms by contacting their local Fairfax County Fire and Rescue Department station, email [fire.smokealarms@fairfaxcounty.gov](mailto:fire.smokealarms@fairfaxcounty.gov), or call 703-246-3801, TTY 711.
- Have an escape plan in place and know how to call 9-1-1 to report a fire. [The Fairfax County Fire and Rescue Department](#) provides instructions for putting a [home escape plan](#) in place.
- [The Fairfax County Fire and Rescue Department](#) is committed to providing emergency and non-emergency services to protect the lives, property, and environment of our community. Fire and rescue-related [educational topics](#) are provided to help protect us from fire and injuries in our homes. You are encouraged to stop by any fire and rescue station, or call Public Affairs and Life Safety Education at 703-246-3801, TTY 711.



### Fair Housing is Everyone's Right

Understanding your rights under fair housing laws, and knowing how to conduct business and manage properties in a non-discriminatory manner is essential to keeping Fairfax communities and neighborhoods a place where everyone wants to live.

***In Fairfax County, it is unlawful to discriminate in the rental of housing because of Race, Color, National Origin, Sex, Marital Status, Religion, Elderliness, Disability, or Familial Status***

The [Human Rights Division of the Fairfax County Office of Human Rights and Equity Programs](#) can assist if you feel you have been treated unfairly in housing, or if you need more information about housing or related services for your business, organization, homeowners' or condominium association located in Fairfax County.

If you would like to have a representative from the Human Rights Division present a seminar about Fair Housing laws, contact Margaret Squires, Fair Housing Coordinator at 703-324-2953 or email [margaret.squires@fairfaxcounty.gov](mailto:margaret.squires@fairfaxcounty.gov).

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## What is an Eviction?

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- An eviction is the legal court process a landlord must follow to terminate a tenant's lease and regain possession of a rental property.
- This process requires a landlord to file a lawsuit, called an unlawful detainer. To win, the landlord must prove the tenant did something that justifies ending the tenancy. A court judgment is required to direct the tenant to leave the property, pay rent, damages, or costs ordered by the court.
- It is in the best interest of both the tenant and landlord to come to an agreement to avoid the cost, inconvenience, and time involved in the court process.
- An eviction can jeopardize a tenant's ability to secure future housing and will impact their rental history, future rental references, and credit history.
- Evictions require a court hearing and an order signed by a judge of the [Fairfax County General District Court](#).
- The steps a landlord must take in the eviction process are available from the [Fairfax County Sheriff's Office](#).
- The Summons for Unlawful Detainer form is available at <http://www.courts.state.va.us>.
- Landlords should consult with an attorney for more information about their legal rights and obligations.

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### Reasons for Eviction

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When a tenant fails or refuses to correct a breach of the lease agreement, a landlord may initiate court action to regain possession of the premises, unpaid rent, and damages resulting from the breach of the lease.

**The most common grounds for eviction are:**

- Nonpayment of rent
- Breach of the lease, such as unauthorized pets, noise, excessive damage, or alterations to the premises without the landlord's permission.
- Illegal activity by the tenant, authorized occupants, or the tenant's guests.
- Too many occupants or overcrowding.
- Holding over after the lease term has ended.
- Abandonment of the premises.

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### Tenant Rights

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A landlord cannot remove a tenant or their personal belongings, lock-out a tenant without a court order, or force an eviction by deliberately cutting off essential services like hot and cold running water or utilities.

**If a landlord attempts to carry out an eviction without a court order, a tenant should:**

- Call the [Fairfax County Police](#) non-emergency number at 703-691-2131.
- If the landlord attempts an eviction without a court order on week days between 8:00 a.m.- 4:00 p.m., call Consumer Affairs at 703-222-8435.
- A tenant may file for [injunctive relief](#) in the [Fairfax County General District Court](#) to stop the eviction and sue for damages.

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## Fairfax County General District Court

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Tenant-Landlord cases are usually scheduled for hearings on Fridays at 9:30 a.m. in the Civil Division of the Fairfax County General District Court. It is very important that landlords comply with the law when filing an unlawful detainer action. Information about court is available at <https://www.fairfaxcounty.gov/generaldistrict/civil/procedures/filing-civil-action> or call 703-246-3012.

For information about your specific circumstances, consult with an attorney for guidance.

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## Navigating COVID-19

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### National Eviction Moratorium

Effective September 4, 2020, a temporary national moratorium on most evictions for nonpayment of rent to help prevent the further spread of the coronavirus was issued by the Center for Disease Control and Prevention (CDC). To be protected by the eviction moratorium, a tenant must meet specific qualifications and submit a signed [declaration](#) form to their landlord. To find out if you qualify for eviction protection under the CDC order, review guidance from the [Consumer Financial Protection Bureau](#). If you qualify, sign the declaration and give the declaration to your landlord and keep a copy for your records. This moratorium ends June 30, 2021.

### Eviction Prevention Information

Tenants needing financial assistance for rent, or landlords needing assistance for mortgage payments, or rent assistance on behalf of tenants, should visit the [Landlord Portal](#) for eligibility and instructions. These resources are designed to support and ensure housing stability during the pandemic. Fairfax County residents should call [Coordinated Services Planning](#) at 703-222-0880, for information about other programs or services you may be eligible for due to hardships caused by the COVID-19 pandemic.

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### Payment of Rent

There is no moratorium on payment of rent because of COVID-19 illness or financial hardship. A tenant's responsibility to pay rent continues even while in isolation, quarantine, or at a medical facility. Tenants should be proactive in communicating to their landlord challenges that impact their ability to pay rent. While the current moratorium provides protection from eviction, tenants must pay rent, fees, or penalties that accumulate during the moratorium. A landlord can consider a payment plan, but it is not required. Guidance and [tools for landlords](#) are provided by the Department of Housing and Urban Development (HUD).

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### Repairs and Maintenance

During COVID-19, landlords remain responsible for maintaining all common and shared spaces, and tenants remain responsible for maintaining their dwelling. While it is important for a landlord to keep the property in habitable condition and perform necessary repairs, it is also important to let tenants know how repairs and maintenance requests will be prioritized or delayed due to COVID-19. Landlords should clearly communicate with tenants about how repair and maintenance requests will be handled and follow health and safety protocols established by the [Center for Disease Control](#). Open communication is essential during this public health crisis.

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## Need More Information

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Fairfax County Consumer Affairs Branch

703-222-8435, TTY 711

[consumer@fairfaxcounty.gov](mailto:consumer@fairfaxcounty.gov)

[www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord](http://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord)

