

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 497

By Senator Chapman

[Introduced January 22, 2024; referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §37-6-9 of the Code of West Virginia, 1931, as amended, relating to
2 proscribing rent control.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. LANDLORD AND TENANT.

§37-6-9. Recovery of rent by distress or action; evidence; interest; proscribing rent control.

1 (a) Rent of every kind may be recovered by distress or action. A landlord may also, by
2 action, recover a reasonable satisfaction for the use and occupation of lands, and, on the trial of
3 such action, if any parol demise, or any agreement wherein a certain rent was reserved, shall
4 appear in evidence, the plaintiff shall not for that reason be nonsuited, but may use the same as
5 evidence of the amount of his debt or damages. In any action for rent, or for such use and
6 occupation, interest shall be allowed as on other contracts.

7 (b) No political subdivision may enact, adopt, renew, maintain, enforce, or continue in
8 existence any ordinance and no municipality may adopt or continue in existence any resolution
9 charter provision, ordinance, resolution, rule, or other measure that is in conflict with this section,
10 or that regulates the rights and obligations of parties to a rental agreement that are regulated by
11 this section, including, without limitation, by any way imposing or requiring rent control.

12 (1) "Rent control" means requiring below-market rents for residential premises or
13 controlling rental rates for residential premises in any manner, including by prohibiting rent
14 increases, regulating rental rate changes between tenancies, limiting rental rate increases,
15 regulating the rental rates of residential premises based on income or wealth of tenants, and other
16 forms of restraint or limitation of rental rates.

17 (2) "Political subdivision" means a county, township, municipal corporation, or any other
18 body corporate and politic that is responsible for government activities in a geographic area
19 smaller than that of the state.

20 (3) Terms in this section are to be used and defined in the same manner as the rest of this
21 chapter.

NOTE: The purpose of this bill is to proscribe rent control.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.