

2/17/2025

Code of Virginia
Title 55.1. Property and Conveyances
Chapter 23.1. Resale Disclosure Act

§ 55.1-2317. Exemptions.

A. The resale certificate required by this chapter need not be provided in the case of:

1. An initial transfer of a unit to a person or entity not acquiring the unit for personal residence or for the construction of a dwelling unit to be occupied as their personal residence, unless requested by the person or entity. However, the person or entity acquiring the unit will still be required to comply with the declaration, bylaws, rules and regulations, and architectural guidelines of the association in all matters;
2. A disposition of a unit by gift;
3. A disposition of a unit pursuant to court order if the court so directs;
4. A disposition of a unit by foreclosure or deed in lieu of foreclosure;
5. A transfer of a unit through a sale at auction, provided the resale certificate was made available as part of the auction package to prospective buyers before the auction; or
6. A disposition of a unit in a common interest community containing no residential units.

B. In any transaction where a resale certificate is required and a trustee acts as the seller in the sale or resale of a unit, the trustee must obtain the resale certificate from the association and provide it to the purchaser.

2023, cc. [387](#), [388](#); 2024, cc. [54](#), [511](#).