

# **Bond Case Briefs**

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## **TAX - VIRGINIA**

### **City of Richmond v. Property Ventures, Inc.**

**Court of Appeals of Virginia, Richmond - April 2, 2024 - 80 Va.App. 538 - 899 S.E.2d 82**

City filed motion for judicial sale of real property to enforce delinquent taxes after landowner failed to pay special assessments and civil penalties charged for grass cutting and other yard maintenance on the property.

The Richmond Circuit Court dismissed the action, and city appealed.

The Court of Appeals held that:

- Statutes granting localities power to require property owners to cut back weeds “on such property or any part thereof” and authorizing city to cut weeds and charge abatement fees did not grant city power to charge for weeds beyond landowner’s property;
- City code and statutes authorized city to abate nuisances, including by removing weeds, on both private property and adjacent public property and to enforce those charges exceeding \$200 as a lien against the property, including by judicial sale; and
- Evidence was sufficient to support finding that city failed to prove that vegetation on landowner’s property and any adjacent property violated city code provision prohibiting grass and other vegetation 12 inches high or over “other than trees, shrubbery, agricultural plants, garden vegetables, flowers or ornamental plants.”