WEST VIRGINIA CODE CHAPTER 37 ARTICLE 7

WV Legislature

§37-7-1. Waste by tenant in possession.

If any tenant of land or any person who has alienated land commit any waste thereon while he remains in possession, unless by special permission of the owner so to do, he shall be liable to any party injured for damages.

WV Legislature

§37-7-2. Waste by co-tenant.

If a tenant in common, joint tenant, or parcener commits waste, he or she is liable to his or her co-tenants, jointly or severally, for damages. The lawful use or development of oil or natural gas and their constituents in compliance with the provisions of §37B-1-1 *et seq*. of this code is not the commission of waste. The lawful mining, extraction, or production of coal in compliance with the provisions of §37B-3-1 *et seq*. of this code is not the commission of waste.

WV Legislature

§37-7-3. Guardians.

If a guardian or committee commit waste of the estate of his ward, he shall be liable to the ward, at the expiration of his guardianship, for damages.

WV Legislature

§37-7-4. Actions; damages.

Any person entitled to damages, in any case arising under the preceding sections of this article, may recover the same in an action on the case. And if it shall be found by the jury that the waste was committed wantonly, judgment shall be for three times the amount of damages assessed therefor.

WV Legislature

§37-7-5. Waste pending suit.

If the tenant in possession of any land shall, pending any suit to recover or charge such land, with knowledge of such suit, commit any waste thereon, the court, in which the suit is, may command the sheriff or other officer to take possession of the land; and, if the plaintiff succeed in recovering or charging the land, he may recover, in an action on the case against him who committed the waste, three times the amount of damages assessed therefor.

WV Legislature