

VIRGINIA:

IN THE GENERAL DISTRICT COURT OF FAIRFAX COUNTY

_____	:	Case No.: _____
Plaintiff(s)	:	Premises Address:
v.	:	
	:	_____
_____	:	_____
Defendant(s)	:	

COVER SHEET FOR FILING UNLAWFUL DETAINER ACTIONS

INSTRUCTIONS: Please check the box that most closely identifies the claim asserted (1, 2, 3 or 4), identifies the landlord as owning fewer or more than five properties (5 or 6), and specifies which exception to the Virginia Eviction Moratorium enables the unlawful detainer summons to go forward (7a, b, or c). Additionally, mark the certifications that the notices required by Va. Code §55.1-1245F (4a or 4b), HB7001 (5a or 6a and 6b) and Va. Code 55.1-1204 (box 8) were given. Attach all supporting documents and indicate by checking the appropriate box in 9 below whether Landlord will seek a judgment on the affidavit should the Tenant fail to appear.

Commercial Lease

This action seeks possession of real property that is **Commercial Property** for:

1. Nonpayment of Rent

OR

2. Reasons other than nonpayment of rent

Termination notice waived pursuant to Lease paragraph _____ ; **or**

Termination Notice attached

Residential Lease

This action seeks possession of real property that is **Residential Property** for:

3. Reasons other than nonpayment of rent

Termination Notice attached

OR

4. Nonpayment of Rent and

a) Fourteen (14) day nonpayment of rent notice attached, OR

b) The property is a CARES Act “covered property” (Section 8 housing or other property that participates in a federal subsidy program or has a federal backed mortgage) and the attached nonpayment of rent notice requires the tenant to vacate on a date no earlier than 30 days from the date the notice is given to the tenant. §4024 (c)(1);

AND

5. Landlord owns FOUR OR FEWER RENTAL DWELLING UNITS in the Commonwealth, and

a) Landlord also provided written notice (i) informing Tenant of Virginia Rent Relief Program (RRP) as administered by Fairfax County, including the website address¹ and phone number (703-222-0880) for Fairfax County Coordinated Services Planning, (ii) providing information on how to reach 2-1-1 Virginia, and (iii) informing Tenant that the landlord will apply for rental assistance within 14 days on the tenant’s behalf.

Attached or Included in above nonpayment of rent notice

OR

6. Landlord owns MORE THAN FOUR Rental dwelling units or more than a 10% interest in more than four rental dwelling units in the Commonwealth, and

a) Landlord also provided written notice which contained an offer to pay or enter into a payment of equal monthly instalments over the lesser of 6 months or the time remaining under the rental agreement;

Attached or Included in above nonpayment of rent notice **AND**

b) Landlord also provided written notice (i) informing Tenant of Virginia Rent Relief Program (RRP) as administered by Fairfax County, including the website address ¹and phone number (703-222-0880) for Fairfax County Coordinated Services Planning, (ii) providing information on how to reach 2-1-1 Virginia, and (iii) informing Tenant that the landlord will apply for rental assistance on the tenant's behalf within 14 days

Attached or Included in above nonpayment of rent notice

AND

7. ONE OF THE FOLLOWING EXCEPTIONS TO THE VIRGINIA EVICTION MORATORIUM (HB 7001) APPLIES:

a) An application to RRP or other rent relief has been made, but no written approval received within 45 days of a completed first application or 14 days of a completed subsequent application, **and the following documents are attached:**

Documentation of first and/or subsequent funding application.

Documentation of the status of the pertinent application, **OR**

b) Landlord has applied, but Tenant refuses to apply for rental assistance and refuses to cooperate with landlord's application for rental assistance on tenant's behalf **and the following documents are attached:**

Documentation/Evidence of Tenant(s)' failure to cooperate with the landlord's application for rental assistance is required

Attached or Evidence will be presented in court, **OR**

c) Tenants(s) are not eligible for RRP assistance (or other federal, state or local programs) or the programs no longer have funds available, **and the following documents are attached:**

Documentation of Tenant(s)' ineligibility for rent relief programs or exhaustion of funds from those rent relief programs are required

Attached or Evidence will be presented in court

AND

8. Landlord has provided Tenant with the written statement of tenant rights and responsibilities² as required by Va. Code §55.1-1204.

Attached or Evidence will be presented in court

AND

9. Having attached all pertinent documents outlined above:

Plaintiff/Landlord submits a supplemental Affidavit and, if the Tenant does not appear on the scheduled court date, requests Judgment on the Affidavit pursuant to Va. Code 16.1-88/8.01-28, **OR**

Having attached all pertinent documents, Plaintiff/Landlord will provide oral testimony in support of its request for a judgment for possession of the premises.

Date: _____ Printed Name & Title: _____

Signature: _____

¹ <https://www.fairfaxcounty.gov/health-humanservices/eviction-prevention/emergency-rent-assistance-program-eligibility>

² <https://www.dhcd.virginia.gov/sites/default/files/Docx/landlord-tenant/statement-of-tenant-rights-and-responsibilities-english.pdf>