

SUMMONS FOR UNLAWFUL DETAINER (CIVIL CLAIM FOR EVICTION)

Commonwealth of Virginia

VA. CODE § 8.01-126

General District Court

CITY OR COUNTY

STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER: Summon the Defendant(s) as provided below:

TO THE DEFENDANT(S): You need to come to this Court on

to answer this civil claim for eviction.

RETURN DATE AND TIME

DATE ISSUED

[] CLERK [] DEPUTY CLERK [] MAGISTRATE

CLAIM AND AFFIDAVIT: Defendant(s) unlawfully detains and withholds from Plaintiff(s):

ADDRESS/DESCRIPTION OF DETAINED PROPERTY

and Defendant should be removed from possession of the property (evicted) because of:

[] unpaid rent [] Plaintiff states that rent is due and not paid and damages have been incurred as follows:

\$ rent due for and \$ late fee and \$ damages for with interest

and \$ costs and \$ civil recovery and \$ attorney's fees.

[] Plaintiff asks for judgment for all amounts due as of the hearing date. [] If Defendant makes no payments before that date, the approximate amount Defendant may owe on that date will be \$.

[] This summons is filed to end a tenancy not governed by the Virginia Residential Landlord and Tenant Act, § 55.1-1200 et seq. of the Code of Virginia.

All required notices have been given. I state under penalty of perjury that the foregoing is true and correct.

[] PLAINTIFF(S) [] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S AGENT DATE

CASE DISPOSITION

[] JUDGMENT that Plaintiff(s) recover against [] named DEFENDANT(S).

[] possession of the premises described above pursuant to § 8.01-128.

[] A hearing will be held on to decide final rent and damages.

[] Immediate writ of eviction [] ordered pursuant to Va. Code § 8.01-129 upon request of Plaintiff.

[] granted pursuant to Va. Code § 55.1-1250(B).

DEFENDANT(S) PRESENT? [] YES [] NO

DATE JUDGE

[] Rent, in the sum of \$ and \$ late fee

and \$ damages with interest and

\$ costs and \$ civil recovery and \$ attorney's fees

[] and \$ costs for Servicemembers Civil Relief Act counsel fees.

HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] CANNOT BE DEMANDED

[] JUDGMENT FOR [] NAMED DEFENDANT(S) []

\$ costs and \$ attorney fees awarded to Defendant(s)

[] NON-SUIT* [] DISMISSED* DEFENDANT(S) PRESENT? [] YES [] NO

DATE JUDGE

CASE NO.

PLAINTIFF(S) NAME(S) (LAST, FIRST, MIDDLE)

ADDRESS

TELEPHONE NUMBER

v.

DEFENDANT(S) NAME(S) (LAST, FIRST, MIDDLE)

ADDRESS

TELEPHONE NUMBER

TO DEFENDANT: You are not required to come to court; however, if you do not come to court, judgment may be entered against you and you may be evicted. See information on the reverse about your right to prevent this unlawful detainer action by paying the money owed.

[] If you disagree with this case, you must come to court on the RETURN DATE to try this case.

[] If you disagree with this case, you must come to court on the RETURN DATE for the judge to set another date for the trial.

If you do not come to court and a judgment is entered against you, a writ of eviction may be issued immediately to give possession of the property to the Plaintiff.

Bill of Particulars ordered DUE DATE

Grounds of Defense ordered DUE DATE

ATTORNEY FOR PLAINTIFF(S)

DATE

and \$

and \$

ATTORNEY FOR DEFENDANT(S)

DATE

and \$

and \$

and \$

and \$

and \$

and \$

HEARING DATE AND TIME

[] Redemption tender presented; continued to:

HEARING DATE AND TIME

[] Defendant must pay:

\$ into the court to be held in escrow by

DATE and any rents coming due prior to the next hearing date must also be paid into the court.

JUDGE'S INITIALS

MONEY JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION

DATE

CLERK

*This case shall be expunged 30 days after dismissal or six months after nonsuit, if an order of possession was not entered, pursuant to Va. Code § 8.01-130.01.

DISABILITY ACCOMMODATIONS for loss of vision, hearing, mobility, etc. Contact the court ahead of time.

To the Defendant(s):

- (1) The preferred place for an Unlawful Detainer (Civil Claim for Eviction) to be filed is the city or county where the property is located. If the plaintiff has filed this case in a city or county that is not where the property you rent is located, you may object to the location. The court may move the case to the preferred place, if the court agrees with you. The court may order the Plaintiff to pay you costs and attorney's fees if the court agrees with your objection. To object to where the case was filed, you must:
 - Tell the court in writing that you do not agree with the place where the case was filed. Include in what you write (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the left column under the words "TO THE DEFENDANT(S)," (c) Plaintiff(s)' name(s) and your name(s), (d) "I move to object to venue of this case in this court because" and give the reasons for your objection and also say in which city or county the case should be tried, and (e) your signature and mailing address.
 - File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to the plaintiff.
 - If you mail your written request to the court, the clerk will tell you the judge's decision.
- (2) If this case involves a lease for a property that is lived in and the only reason on this Summons for the entry of an order of possession is that you did not pay the rent, then you, or someone on your behalf, may pay the landlord or the landlord's attorney or pay into court all (i) rent due and not paid as of the court date as included in the rental agreement, (ii) other charges and fees as included in the rental agreement, (iii) late charges included in the rental agreement and as provided by law, (iv) reasonable attorney fees as included in the rental agreement or as provided by law, and (v) costs of the proceeding as provided by law, and if you pay everything that you owe, this unlawful detainer action will be dismissed pursuant to Virginia Code § 55.1-1250.
- (3) If you tell your landlord that you want another person to receive a copy of this summons, the landlord must send a copy to that person. However, that person will not, by getting a copy of the summons, become a party to the case or be able to challenge the landlord's actions for you. Virginia Code § 55.1-1209.
- (4) Pursuant to Virginia Code § 18.2-465.1, it is against the law for your employer to fire you from your job or take any negative personnel action against you if you were absent from your job because you had to come to court for a hearing on this Summons, as long as you gave reasonable notice of the hearing to your employer.

RETURNS: Each defendant was served according to law, as indicated below, unless not found.

Name	
Address	
<input type="checkbox"/> Personal Service	Tel. No.
<input type="checkbox"/> Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Served on the Secretary of the Commonwealth	
<input type="checkbox"/> Not found	_____
SERVING OFFICER	
..... for _____	
DATE	
Name	
Address	
<input type="checkbox"/> Personal Service	Tel. No.
<input type="checkbox"/> Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Served on the Secretary of the Commonwealth	
<input type="checkbox"/> Not found	_____
SERVING OFFICER	
..... for _____	
DATE	

I certify that I mailed a copy of this document to the defendants named therein at the address show therein on

.....
DATE [] PLAINTIFF [] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S AGENT

Fi. Fa. issued on

Interrogatories issued on

Garnishment issued on