

TENANT'S ASSERTION AND COMPLAINT

Commonwealth of Virginia VA. CODE § 55.1-1244

..... General District Court

STREET ADDRESS OF COURT

TO ANY AUTHORIZED OFFICER:

You are hereby commanded to summon the Defendant(s) to appear on before this court to answer. DATE AND TIME

..... DATE [] CLERK [] DEPUTY CLERK [] MAGISTRATE

I, the undersigned Tenant, this day assert that Plaintiff(s) executed a lease as indicated with Defendant(s) for the rental of the dwelling unit or premises indicated.

Table with columns: DATE LEASE EXECUTED, DATE RENTAL PERIOD COMMENCED, DATE RENTAL PERIOD ENDS, AMOUNT OF RENT, PERIOD AND CONDITIONS OF PAYMENT. Includes text 'due each'.

The following conditions, for which relief is sought, currently exist in the dwelling unit or premises:

- [] constitute material non-compliance by Defendant(s) – Landlord(s) with the rental agreement as indicated below; [or]
[] constitute material non-compliance by Defendant(s) – Landlord(s) with the provisions of law, as indicated below; [or]
[] will constitute a fire hazard or serious threat to the life, health, or safety of occupant, if not properly corrected, as indicated below;

LIST PERTINENT SECTION OF RENTAL AGREEMENT [OR] SECTION OF THE CODE OF VIRGINIA [OR] TYPE OF HAZARD. EXPLAIN.

Plaintiff(s) – Tenant(s) therefore requests that the Court grant the following specific relief:

reasonable costs of Tenant, including court costs, reasonable attorney fees, and any other appropriate relief.

I certify that all prerequisite conditions for relief, as shown on the reverse of this form, have been met.

..... DATE TENANT

CASE DISPOSITION

Judgment: [] Plaintiff(s) \$ [] Defendant(s) \$

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

Distribution of funds held in escrow in the court:

[] \$ Plaintiff(s) [] \$ Defendant(s)

Other:

[] NON-SUIT [] DISMISSED Defendant(s) present? [] Yes [] No

..... DATE ENTERED JUDGE

RETURN DATE CASE NO.

HEARING DATE AND TIME

TENANT'S ASSERTION AND COMPLAINT

PLAINTIFF(S) – TENANT(S)

V.

DEFENDANT(S) – LANDLORD(S)

ADDRESS/LOCATION OF DWELLING UNIT OR PREMISES SUBJECT TO THIS ACTION

TO DEFENDANT: You are not required to appear; however, if you fail to appear, judgment may be entered against you. See the additional notice on page two about requesting a change of trial location.

[] To dispute this claim, you must appear on the return date to try this case.

[] To dispute this case, you must appear on the return date for the judge to set another date for trial. See additional notice on page two.

* * *

Bill of Particulars ORDERED DUE

Grounds of Defense ORDERED DUE

ATTORNEY FOR PLAINTIFF(S)

ATTORNEY FOR DEFENDANT(S)

PREREQUISITE CONDITIONS FOR RELIEF

BEFORE THIS COURT MAY GRANT ANY RELIEF, THE FOLLOWING CONDITIONS MUST BE MET:

1. The dwelling unit or premises which is the subject of the complaint must be located within the jurisdiction of this Court, that is, within the city or county indicated in the name of this Court.
2. The conditions existing in the dwelling unit or premises for which relief is sought must not have been caused by Plaintiff(s) – Tenant(s), nor by the family, guests or invitees of Plaintiff(s) – Tenant(s).
3. The Plaintiff(s) – Tenant(s) must not have unreasonably refused entry to the Defendant(s) – Landlord(s), or the agents of Defendant(s) – Landlord(s) when entry was sought to make the necessary repairs.
4. Prior to commencement of the action, the landlord was served a written notice by the tenant of conditions described on the front of this form, or was notified of such conditions by a violation or condemnation notice from an appropriate state or municipal agency, and that the landlord has refused, or having a reasonable opportunity to do so, has failed to remedy the same through no fault on the Tenant’s part. Such written notice may be served by (a) regular mail (postage prepaid), with the sender retaining proof of mailing (such as a U.S. Postal Service certificate of mailing) or (b) hand delivery by the sheriff or a disinterested third party, 18 years of age or older, when delivery made in accordance with Chapter 8 of Title 8.01 of the Code of Virginia.
5. Any and all rents due under the lease, or as modified by the Court, have been paid into the Court within five days of their due date.
6. This action in this Court is the sole remedy now being sought by the Plaintiff(s) – Tenant(s) for the conditions existing in the dwelling unit or premises that are the subject of this complaint.

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

.....
DATE _____ [] Plaintiff
[] Plaintiff’s Attorney
[] Plaintiff’s Employee

Fi. Fa. issued on

Interrogatories issued on

Garnishment issued on

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 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.	
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.....	for
DATE