

**SUMMONS FOR UNLAWFUL DETAINER**  
(CIVIL CLAIM FOR EVICTION)

VA. CODE § 8.01-126  
Commonwealth of Virginia

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 are commanded to appear before this Court on

to answer this civil claim.

RETURN DATE AND TIME

DATE ISSUED

[ ] CLERK [ ] DEPUTY CLERK [ ] MAGISTRATE

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

ADDRESS/DESCRIPTION OF DETAINED PROPERTY

and that the Defendant should be removed from possession based on the following:

[ ] unpaid rent [ ] .....

and further that rent is due and owing and damages have been incurred as follows:

\$ ..... rent due for ..... and interest .....

RENT PERIOD RATE(S) AND BEGINNING DATE(S)

and \$ ..... late fee and \$ ..... damages for .....

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

[ ] This summons is filed to terminate a tenancy pursuant to the Virginia Residential Landlord and Tenant Act, § 55-248.2 *et seq.* of the Code of Virginia.

All required notices have been given. ....

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

Subscribed and sworn to before me this ..... day of ....., 20 .....

My commission expires: .....

NOTARY REGISTRATION NO. .... [ ] CLERK [ ] DEPUTY CLERK [ ] MAGISTRATE [ ] NOTARY PUBLIC

[ ] City [ ] County of .....

**CASE DISPOSITION**

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

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

[ ] A hearing shall be held on ..... to establish final rent and damages.

DATE AND TIME

[ ] Immediate writ of possession authorized pursuant to Virginia Code

[ ] § 8.01-129 based upon a judgment of default for [ ] a trustee's deed following foreclosure

[ ] the nonpayment of rent [ ] immediate non-remediable termination.

[ ] § 55-243 or § 55-248.34:1.

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

DATE

JUDGE

[ ] Rent, in the sum of \$ ..... with interest .....

RATE(S) AND BEGINNING DATE(S)

and \$ ..... late fee and \$ ..... damages and

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

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

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

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

DATE

JUDGE

CASE NO.

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

TELEPHONE NUMBER

**v.**

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

TELEPHONE NUMBER

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 the reverse about requesting a change of trial location and your right to prevent this unlawful detainer action through payment of amounts owed.

[ ] To dispute this case, 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.

If you fail to appear and a default judgment is entered against you, a writ of possession may be issued immediately for possession of the premises.

Bill of Particulars ordered .....  
DUE DATE

Grounds of Defense ordered .....  
DUE DATE

ATTORNEY FOR PLAINTIFF(S)

TELEPHONE NUMBER

ATTORNEY FOR DEFENDANT(S)

TELEPHONE NUMBER

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

HEARING DATE AND TIME

[ ] Redemption tender presented; continued to:

HEARING DATE AND TIME

[ ] Defendant must pay:

\$ ..... RENT OWED  
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

**To the Defendant(s):**

- (1) The preferred location for an Unlawful Detainer action is the city or county where the premises are located. If the plaintiff has filed this case in a city or county other than where the property you rent is located, you may object to the location. The court may transfer the case to the preferred location, if the court agrees with you. The court will award costs to you and may award attorney's fees to you if the court agrees with your objection. To object to the location of the suit, you must do the following:
- Prepare a written request which contains (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 state the reasons for your objection and also state 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 notify you of the judge's decision.
- (2) If you pay all rent and arrears, attorney's fees, late charges contracted for in a written rental agreement, interest and costs at or before the return date and time, you may prevent this unlawful detainer action pursuant to Virginia Code § 55-243. You may exercise this right only once every 12 months that you continue to live in the same place.
- (3) You may tell your landlord that you want another person to receive a copy of this summons, and the landlord shall send a copy to that person. However, the person you identify will not, by receiving a copy of the summons, become a party to the case or be able to challenge the landlord's actions on your behalf. Virginia Code § 55-248.9:1.

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

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 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	