

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to defendant. If more than one defendant, provide a copy for *each* defendant.
 - c. Second copy – to plaintiff.
2. All but Case Disposition prepared by plaintiff (claim, parties, and court name and address) and clerk (Data Element Nos. 3, 4, 5, and 19). Case Disposition, orders regarding bill of particulars and grounds of defense and order for payment of rent into court prepared by judge.
3. Attachments
 - a. Form DC-413, CERTIFICATE OF MAILING, or its equivalent – if filed by plaintiff.
 - b. Form DC-325, REQUEST FOR WITNESS SUBPOENA – if completed before this form is issued.
 - c. Form DC-422, NOTICE OF HEARING TO ESTABLISH FINAL RENT AND DAMAGES.
 - d. Copy of five-day notice to pay or quit, or other notice of unlawful detainer, if required by statute.
4. Preparation details
 - a. This form merges the application (claim) and affidavit and civil warrant onto one form so that all but a few data elements needed for issuing the civil warrant are prepared by the plaintiff.
 - b. For Data Element No. 17, notices, such as the five-day notice to pay or quit, do not have to be attached to this form when issued, but such notice must be presented in court at trial either by attachment to this form or by being presented to the judge.
 - c. The data elements for service of process on the reverse of the SUMMONS FOR UNLAWFUL DETAINER are to be completed for each defendant who is served.
 - d. In lieu of a separate certificate of mailing, the plaintiff may complete Data Elements Nos. 10 and 11 on the back of the form if the mailing to defendants occurs at or prior to filing of the warrant.
 - e. On the reverse, Data Element Nos. 12, 13 and 14 are for optional use by clerks in tracking the issuance of post-judgment process. This data is added when such post-judgment process is prepared because the clerk's staff has to use the warrant in preparing and issuing post-judgment process.
 - f. This form contains a provision for the clerk to note that a Notice of Satisfaction for this judgment has been received and is attached.

SUMMONS FOR UNLAWFUL DETAINER

(CIVIL CLAIM FOR EVICTION)

VA. CODE § 8.01-126
Commonwealth of Virginia

..... **1**
CITY OR COUNTY

..... **2**
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

..... **3** to answer this civil claim.
RETURN DATE AND TIME

..... **4**
DATE ISSUED

..... **5**
[] CLERK [] DEPUTY CLERK [] MAGISTRATE

CLAIM AND AFFIDAVIT: That Defendant(s) unlawfully detains and withholds from Plaintiff(s):
..... **6**
ADDRESS/DESCRIPTION OF DETAINED PROPERTY
and that the Defendant should be removed from possession based on the following:

7 [] unpaid rent []
and further that rent is due and owing and damages have been incurred as follows:

\$ **8** rent due for **9** and interest **10**
RENT PERIOD RATE(S) AND BEGINNING DATE(S)

and \$ **11** late fee and \$ **12** damages for **13**
and \$ **14** costs and \$ **15** civil recovery and \$ **16** attorney's fees.

17 [] 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. **18**
[] PLAINTIFF(S) [] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S AGENT

Subscribed and sworn to before me this **19** day of 20

My commission expires: **21**
NOTARY REGISTRATION NO. **22** [] CLERK [] DEPUTY CLERK [] MAGISTRATE [] NOTARY PUBLIC
[] City [] County of **23**

CASE DISPOSITION **24** { []
[] JUDGMENT that Plaintiff(s) recover against [] named DEFENDANT(S).

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

26 [] A hearing shall be held on to establish final rent and damages.
DATE AND TIME

27 [] 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 **29** [] NO

..... **30**
DATE JUDGE

[] Rent, in the sum of \$ **32** with interest **33**
RATE(S) AND BEGINNING DATE(S)

and \$ **34** late fee and \$ **35** damages and
\$ **36** costs and \$ **37** civil recovery and \$ **38** attorney's fees.

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

40 [] JUDGMENT FOR [] NAMED DEFENDANT(S) []
41 [] NON-SUIT **42** [] DISMISSED DEFENDANT(S) PRESENT? **43** [] YES [] NO

..... **44**
DATE JUDGE

CASE NO. **46**
..... **47**
PLAINTIFF(S) NAME(S) (LAST, FIRST, MIDDLE)

.....
TELEPHONE NUMBER

v. **48**
.....
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 **50**
DUE DATE

Grounds of Defense ordered **51**
DUE DATE

ATTORNEY FOR PLAINTIFF(S)
..... **52**
TELEPHONE NUMBER

ATTORNEY FOR DEFENDANT(S)
..... **53**
TELEPHONE NUMBER

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

HEARING DATE AND TIME

.....

..... **54**

.....

.....

.....

[] Redemption tender
55 presented; continued to:

.....
HEARING DATE AND TIME

[] Defendant must pay:

\$ **56**
RENT OWED
into the court to be held in escrow by

..... **57**
DATE

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

..... **58**
JUDGE'S INITIALS

MONEY JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION

..... **59**
DATE

..... **60**
CLERK

Data Elements, front

- 1. Court name.
- 2. Court street address.

To be completed by court personnel:

- 3. Return date and time (date and time of scheduled appearance).
- 4. Date of issuance of this SUMMONS.
- 5. Signature of person issuing this SUMMONS. Check the appropriate title box below the signature line.

- 6. Insert street address and apartment number, if any; otherwise, give best location and description of property (such as "State Route 611, Box 72-A, Any place Co., Va."--2 bedroom white frame house).
- 7. Check and, if needed, insert reason why defendants allegedly are unlawfully detaining the property.
- 8. Total amount of unpaid rent to date.
- 9. Rental period for which rent is unpaid.
- 10. Interest claimed, if applicable.
- 11. Amount of late fee, if applicable.
- 12. Damages, if any, caused by unlawful detainer.
- 13. Reasons for claiming damages.
- 14. Amount of court costs claimed in this case.
- 15. Amount of civil recovery cost claimed.
- 16. Attorney's fee (if any) claimed.
- 17. Check this box if the case falls under the Virginia Residential Landlord and Tenant Act.

To be completed by person taking acknowledgement:

- 18. Signature of person filing the claim, stating notice has been given if required. Check the appropriate title box below the signature line.
- 19. Date of attestation.
- 20. Signature of person taking the attestation. Check the appropriate title box and, if appropriate, insert the status data of the signer below the signature line.
- 21. If notary public taking the attestation, insert notary's commission expiration date.
- 22. If notary public taking the attestation, insert notary's registration number.
- 23. Locality in which attestation taken. Check the appropriate box.

To be completed by the judge:

- 24. Check the box at margin to indicate that a judgment was given to plaintiff and check the correct box to indicate if judgment is entered against less than all defendants or judgment is entered against all defendants.
- 25. Check box if possession granted to plaintiff.
- 26. Check box if plaintiff requested time to establish final rent and damages and insert date and time of hearing.
- 27. Check if immediate writ of possession is authorized.
- 28. Check reason immediate writ of possession is authorized.
- 29. Check the applicable box. If there are multiple defendants and not all were present, list names of those present.
- 30. Date of entry of judgment for possession.
- 31. Signature of judge.

- 32. Amount of judgment for rent.
- 33. Interest rate in annual percentage rate and date from which interest runs.
- 34. Late fee awarded.
- 35. Amount of damages awarded.
- 36. Court costs assessed against the defendant.
- 37. Amount awarded for civil recovery.
- 38. Attorney's fees awarded by court.
- 39. Check applicable box.
- 40. Check the box on margin to indicate that judgment was for the one or more defendants and then check the first box if judgment for all defendants is entered. If judgment is for less than all defendants, name the defendants for whom judgment is entered.
- 41. Check if a nonsuit is entered.
- 42. Check if the case is dismissed as to all defendants. If dismissal is for less than all defendants, name the defendants for whom the case is dismissed.
- 43. Check box indicating if defendant(s) were present.
- 44. Date of entry of judgment for rent and damages.
- 45. Signature of judge.

- 46. Court case number.
- 47. Names and addresses of plaintiffs.
- 48. Names and addresses of defendants.

To be completed by the judge or clerk:

- 49. Check applicable box.
- 50. If judge orders filing of bill of particulars, insert the appropriate date.
- 51. If judge orders filing of grounds of defense, insert the appropriate date.

- 52. Name and address of plaintiff's attorney.
- 53. Name and address of defendant's attorney.

To be completed by judge or clerk

- 54. Return date. Space is left for adding continuance dates.
- 55. Check if redemption tender presented. Enter hearing date and time.
- 56. If continuance granted and judge orders defendant to pay rent to be held in escrow by the court, insert amount of rent owed.
- 57. Date by which rent owed must be paid into the court.
- 58. Judge's initials.
- 59. Date NOTICE OF SATISFACTION received and attached to SUMMONS.
- 60. Signature of clerk.

Data Elements, reverse

1. Name of person to be summoned. If person is a corporation's officer, designated agent, managing employee or registered agent, show name of corporation on second line.
2. Address and telephone number of person to be summoned.

To be completed by serving officer:

3. Check this box if personal service obtained.
4. Serving officer to check the appropriate box to designate type of substitute service.
5. If served by leaving the subpoena with a family member age 16 or older, check appropriate box and insert required information.
6. Check this box if unable to serve process.
7. Signature of serving officer.
8. Date of signature.
9. Name of sheriff if served by deputy sheriff.

10. Date that plaintiff mailed copy of pleading to defendant.

11. Signature of person mailing the pleading. Check the appropriate title box below the signature line.

For use by clerk:

12. Date(s) writ of fieri facias was issued.
13. Date(s) summons to answer interrogatories was issued.
14. Date(s) garnishment summons was issued.