

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.

DATE LEASE EXECUTED	DATE RENTAL PERIOD COMMENCED	DATE RENTAL PERIOD ENDS
AMOUNT OF RENT		PERIOD AND CONDITIONS OF PAYMENT
due each		

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

-, and these conditions
- 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:

....., 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

[] PERSONAL SERVICE Tel. No.

[] Being unable to make personal service, a copy was delivered in the following manner:
 [] 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.

[] 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.)
 [] Served on Secretary of the Commonwealth.

[] Not found

..... for _____
 DATE SERVING OFFICER

Name

Address

[] PERSONAL SERVICE Tel. No.

[] Being unable to make personal service, a copy was delivered in the following manner:
 [] 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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 [] Served on Secretary of the Commonwealth.

[] Not found

..... for _____
 DATE SERVING OFFICER