

# NOTICE OF ADOPTION OF EVICTION DIVERSION PROGRAM

## City of Alexandria General District Court

The City of Alexandria General District Court has adopted an Eviction Diversion Program (the "Program") pursuant to Virginia Code § 55.1-1262 effective **July 1, 2026**. The Program allows eligible tenants in unlawful detainer cases to enter a court-ordered payment plan to pay past-due rent. If the tenant completes all payments, the case is dismissed. § 55.1-1262(D).

### **What This Means for Litigants in This Court**

#### **For Landlords:**

- Effective July 1, 2026, any summons for unlawful detainer filed in this Court must be served with information about the Program and eligibility criteria. The General District Court has adopted its own form attached.
- Landlords and their counsel must be prepared in advance to provide the tenant with the exact amount that will be due as of the first docket call so that the tenant can bring the required 10% payment with them to Court. This amount may not include attorneys fees.
- If a tenant enters the Program, a court-ordered payment plan will be completed on Form DC-4102.
- If the tenant fails to make a plan payment or misses a monthly rent payment, counsel should file Form DC-4103 (Landlord's Notice of Nonpayment) with the Clerk and serve a copy on the tenant. Unless the tenant files a sworn affidavit (Form DC-4104) within 10 days, the Court will enter an order of possession without further hearing. § 55.1-1262(E).
- The landlord may separately seek a money judgment for final rent and damages. Va. Code § 8.01-128(B).
- The Program does not prevent a landlord from filing a separate unlawful detainer for a non-rent lease violation. § 55.1-1262(F).

#### **For Tenants:**

- Eligible tenants must appear at the first docket call and submit their completed Request for Referral Form. We have adopted a slightly modified version of Form DC-4101 but tenants may also use the original Form DC-4101. This request cannot be made before the hearing or at a later hearing.
- To qualify, tenants must pay at least 10% of the total amount due at the first docket call, provide sworn testimony as to income and ability to pay (which will be done in writing by completing the Request for Referral Form), and meet the other eligibility criteria under § 55.1-1262(A).
- If the tenant receives a Notice of Nonpayment (Form DC-4103), they have 10 days to file a sworn affidavit (Form DC-4104) disputing the notice. Missing this deadline results in an automatic possession order.

- Late fees may not be charged while a tenant is in compliance with the Program. Attorney's fees may not be passed to the tenant until a court determines they are reasonable.

### **Forms and Resources**

The following documents are attached:

- EDP Information Sheet
- City of Alexandria General District Court Request for Referral Form
- DC-4101 (Eviction Diversion Program Request for Referral)
- DC-4103 (Eviction Diversion Program Landlord's Notice of Non-Payment)
- DC-4104 (Eviction Diversion Program Affidavit of Tenant in Response to Landlord's Notice of Non-Payment)
- EDP Statutory Language

Please do not hesitate to reach out to the Clerk's Office with any questions. We look forward to working with the bar as we get this program underway.

Thank you,

Donald M. Haddock, Jr.

Chief Judge, City of Alexandria General District Court

# EVICTON DIVERSION PROGRAM

City of Alexandria General District Court  
Virginia Code § 55.1-1262 - Effective July 1, 2026

If you have received a **Summons for Unlawful Detainer**, you may qualify for the Eviction Diversion Program. If eligible, you may pay past-due rent on a court-ordered payment plan instead of receiving an eviction judgment.

## YOU MUST MEET ALL OF THESE CONDITIONS TO QUALIFY

- 1 Appear in court on the **court date and time** *In the last 12 months:*
- 2 Pay at least **10% of amount owed** at court
- 3 Have **income or sufficient funds** to make all plan payments
- 4 **Explain why** you are unable to pay rent
- 5 Have no **unpaid rent** owed under any **payment plan**
- 6 Have not **defaulted on payment plan** or
- 7 Have **not participated** in this program

## YOUR PAYMENT PLAN IF YOU QUALIFY

Court Date	Month 1 rent due (by the 5th) +	Month 2 rent due (by the 5th) +	Month 3 rent due (by the 5th) +
<b>10%</b> of amount owed at court date	<b>30%</b> of amount owed at court date	<b>30%</b> of amount owed at court date	<b>30%</b> of amount owed at court date

- Pay by **cashier's check, certified check, money order, or electronic funds transfer** — received by landlord by the 5th of each month
- You must also pay your **regular monthly rent on time** throughout the plan
- **Keep written proof of all payments (including all utilities) made under this program**
- If all payments are made, **the case is dismissed**

## IF YOU MISS A PAYMENT

If you miss a plan payment or a monthly rent payment, your landlord may notify the court. The court will then enter an **order of possession (eviction) without another hearing**, unless you file an affidavit with the court within **10 days** showing the payment was made.

## WHAT TO DO NEXT

- 1 **Before your hearing:** Ask your landlord to confirm total amount owed at the time of hearing date
- 2 **Complete the Request for Referral Form** and bring it to court on your hearing date
- 3 **At the hearing:** Bring at least 10% of the amount owed in an accepted payment form
- 4 **Need help?** Contact Department of Community and Human Services Customer Call Center by either calling **703.746.5700**, texting **703.346.5599**, or coming in-person to **4850 Mark Center Dr.**



**Eviction Prevention Resources**  
703.746.5700  
Scan for information about local assistance programs



**Court Forms**  
[vacourts.gov/forms/district/eviction](http://vacourts.gov/forms/district/eviction)  
Includes Request for Referral Form DC4101

**ALEXANDRIA GENERAL DISTRICT COURT  
EVICTON DIVERSION PROGRAM  
REQUEST FOR REFERRAL**

Commonwealth of Virginia VA. CODE § 55.1-1262

Case No. ....

City of Alexandria General District Court

.....V. ....  
NAME OF PLAINTIFF/LANDLORD NAME OF DEFENDANT/TENANT

I, the defendant/tenant, request that this case be referred to the Eviction Diversion Program.

In support of this request, I state the following under oath:

- 1. I am able to pay at least 10% of the amount due on the hearing date listed on the Summons for Unlawful Detainer (Civil Claim of Eviction).

I will pay \$ ..... to the [ ] landlord OR [ ] court on the hearing date.

- 2. I have income and sufficient funds to pay 30% of the amount due each month in addition to my monthly rent payments until the amount due is paid in full.

- 3. My reason(s) for being unable to make rent payments is/are as follows:

.....  
.....  
.....

- 4. I do not owe outstanding rent under any payment plan executed within the last 12 months.
- 5. I have not defaulted on any rent payment plan executed within the last 12 months.
- 6. I have not participated in an eviction diversion program within the last 12 months.

Pursuant to Va. Code §8.01-4.3, I declare, under penalty of perjury, that the above information is true and correct.

.....  
PRINT NAME OF DEFENDANT/TENANT

.....  
DATE

.....  
SIGNATURE OF DEFENDANT/TENANT

**EVICTIION DIVERSION  
PROGRAM REFERRAL**

Commonwealth of Virginia VA. CODE § 55.1-1262

Case No. ....

..... General District Court  
CITY OR COUNTY

..... v. ....  
NAME OF PLAINTIFF/LANDLORD NAME OF DEFENDANT/TENANT

I, the defendant/tenant, request that this case be referred to the Eviction Diversion Program.

In support of this request, I state the following under oath:

- 1. I am able to pay at least 10% of the amount due on the hearing date listed on the Summons for Unlawful Detainer (Civil Claim of Eviction). I will pay \$ ..... to the [ ] landlord OR [ ] court on the hearing date.
- 2. [ ] I have income and have sufficient funds to pay 30% of the amount due each month in addition to my monthly rent payments until the amount due is paid in full.

OR

- [ ] I am not employed but have sufficient funds to pay 30% of the amount due each month in addition to my monthly rent payments until the amount due is paid in full.

3. My reason(s) for being unable to make rent payments is/are as follows:

.....  
.....  
.....

- 4. I do not owe outstanding rent under any payment plan executed within the last 12 months.
- 5. I have not defaulted on any rent payment plan executed within the last 12 months.
- 6. I have not participated in an eviction diversion program within the last 12 months.

I hereby state that the above information is correct to the best of my knowledge.

.....  
PRINT NAME OF DEFENDANT/TENANT

.....  
DATE

.....  
SIGNATURE OF DEFENDANT/TENANT

The forgoing was subscribed and sworn to before me this ..... day of ....., 20 .....  
by .....

.....  
DATE

.....  
[ ] JUDGE [ ] CLERK [ ] DEPUTY CLERK

**EVICTION DIVERSION PROGRAM  
LANDLORD'S NOTICE OF NONPAYMENT**  
Commonwealth of Virginia VA. CODE § 55.1-1262

Case No. ....

..... General District Court  
CITY OR COUNTY

..... V. ....  
NAME OF PLAINTIFF/LANDLORD NAME OF DEFENDANT/TENANT

I hereby notify this court that the tenant  failed to make a payment under the court-ordered payment plan AND/OR  failed to make current monthly rental payments as contracted for in the rental agreement as described below.

.....  
PROVIDE DETAILS OF LATE OR MISSING PAYMENT(S)  
.....  
.....  
.....

I intend to seek a money judgment for final rent and damages pursuant to Va. Code § 8.01-128(B) at a hearing scheduled for ..... If the tenant makes no payments before the hearing date, the approximate amount the tenant may owe on that date will be .....

I intend to ask for judgment for all amounts due as of the hearing date.

I certify that I provided a copy of this Notice to the tenant by  mailing OR  hand delivering a copy of this Notice on the ..... day of ....., 20 ..... to the following address:

.....  
ADDRESS

.....  
DATE  PLAINTIFF/LANDLORD  .....  
NAME  
 ATTORNEY FOR LANDLORD  
 AGENT FOR LANDLORD

**NOTICE TO TENANT:**

**Within 10 days of the date the Plaintiff/Landlord has signed this notice, the court will enter an order of possession without further hearings or proceedings unless you file an affidavit with the court stating that the current rent has, in fact, been paid and that the plaintiff/landlord has not properly acknowledged payment of such.**

**Form DC-4104 AFFIDAVIT OF TENANT IN RESPONSE TO LANDLORD'S NOTICE OF NONPAYMENT may be used to complete the tenant's affidavit. The form is available online at <http://www.vacourts.gov/forms/district/civil.html>.**

**You have the right to appeal an order of possession. Any such appeal must be filed and perfected within 10 days of entry of the order of possession. If an order of possession is entered, you will not receive formal notice from the court. You must confirm the entry date with the court and calculate your appeal period accordingly.**

**EVICTION DIVERSION PROGRAM  
AFFIDAVIT OF TENANT IN RESPONSE TO  
LANDLORD'S NOTICE OF NONPAYMENT**

Commonwealth of Virginia VA. CODE § 55.1-1262

Case No. ....

..... General District Court  
CITY OR COUNTY

..... V. ....  
NAME OF PLAINTIFF/LANDLORD NAME OF DEFENDANT/TENANT

I, the undersigned defendant/tenant, state the following under oath:

I have made all payments under the court-ordered payment plan and monthly rental payments as contracted for in the rental agreement. The landlord has not properly acknowledged payment of such rent as described below.

.....  
.....  
.....  
.....

I certify that I provided a copy of this Affidavit to the landlord by  mailing OR  hand delivering a copy of this Affidavit on the ..... day of ....., 20 ..... to the following address:

.....  
ADDRESS

Pursuant to Va. Code § 8.01-4.3, I declare, under penalty of perjury, that the above information is true and correct.

.....  
DATE

.....  
SIGNATURE

§ 55.1-1262. (Effective July 1, 2026) Eviction Diversion Program; process; court-ordered payment plan.

A. A tenant in an unlawful detainer case shall be eligible to participate in the Program if he:

1. Appears in court on the first docket call of the case;
2. Pays to the landlord or into the court at least 10 percent of the amount due on the unlawful detainer as amended on the first docket call of the case;
3. Provides sworn testimony that he has income and has sufficient funds to make the payments under the court payment plan, or otherwise has sufficient funds to make such payments;
4. Provides sworn testimony explaining the reasons for being unable to make rental payments as contracted for in the rental agreement;
5. Does not owe outstanding rent under any payment plan executed within the last 12 months;
6. Has not defaulted on any rent payment plan executed within the last 12 months; and
7. Has not participated in an eviction diversion program within the last 12 months.

B. Any general district court of the Commonwealth that implements the Program shall attach information about the Program, including eligibility criteria, to any summons for unlawful detainer.

C. The court shall direct an eligible tenant pursuant to subsection A and his landlord to participate in the Program and to enter into a court-ordered payment plan. The court shall provide for a continuance of the case on the docket of the general district court in which the unlawful detainer action is filed to allow for full payment under the plan. The court-ordered payment plan shall be based on a payment agreement entered into by the landlord and tenant, on a form provided by the Executive Secretary, and shall contain the following provisions:

1. All payments shall be (i) made to the landlord; (ii) paid by cashier's check, certified check, money order, or electronic funds transfer; and (iii) received by the landlord on or before the fifth day of each month included in the plan;

2. The remaining payments of the amounts on the amended unlawful detainer after the first payments made on the first docket call of the case shall be paid on the following schedule: (i) 30 percent due by the fifth day of the month following the initial court hearing date, (ii) 30 percent due by the fifth day of the second month following the initial court hearing date, and (iii) the final payment of 30 percent due by the fifth day of the third month following the initial court hearing date; and

3. All rental payments shall continue to be made by the tenant to the landlord as contracted for in the rental agreement within five days of the due date established by the rental agreement each month during the course of the court-ordered payment plan.

D. If the tenant makes all payments in accordance with the court-ordered payment plan, the judge shall dismiss the unlawful detainer as being satisfied.

E. If the tenant fails to make a payment under the court-ordered payment plan or to keep current any monthly rental payments to the landlord as contracted for in the rental agreement within five days of the due date established by the rental agreement, the landlord shall submit to the general district court clerk a written notice, on a form provided by the Executive Secretary, that the tenant has failed to make payments in accordance with the plan. A copy of such written notice shall be given to the tenant in accordance with § 55.1-1202.

The court shall enter an order of possession without further hearings or proceedings, unless the tenant files an affidavit with the court within 10 days of the date of such notice stating that the current rent has in fact been paid and that the landlord has not properly acknowledged payment of such rent. A copy of such affidavit shall be given to the landlord in accordance with § 55.1-1202.

The landlord may seek a money judgement for final rent and damages pursuant to subsection B of § 8.01-128.

F. Nothing in this section shall be construed to limit (i) the landlord from filing an unlawful detainer for a non-rent violation against the tenant while such tenant is participating in the Program or (ii) the landlord and tenant from entering into a voluntary payment agreement outside the provisions of this section.