

VIRGINIA:
IN THE (ARLINGTON COUNTY)/(CITY OF FALLS CHURCH) GENERAL DISTRICT COURT

Plaintiff

Case No. _____

V.

PROPERTY ADDRESS:

Defendant

**CERTIFICATION OF ELIGIBILITY FOR A WRIT OF EVICTION
AND COMPLIANCE WITH VIRGINIA EVICTION MORATORIUM**

COMES NOW, Plaintiff/Landlord or by and through Counsel and CERTIFIES the following:

THIS MATTER comes before the Court by Plaintiff/Landlord for the issuance of a Writ of Eviction on the above-identified property because it is UNRELATED to a failure to pay rent on residential property; OR

THIS MATTER comes before the Court by Plaintiff/Landlord for the issuance of a Writ of Eviction on the above-identified property because it is RELATED to a failure to pay rent on residential property and:

(1) Written notice has been provided to the Tenant of the following information pursuant to Section 8 of the 2020 Special Session, Budget Amendments – HB5005:

(a) The total amount of rent due and owing, and

(b) If Plaintiff/Landlord is the owner of multi-dwelling units, the Tenant can submit a signed statement that the Tenant has experienced additional expenses or a loss of income due to the declared state of emergency and that the Tenant may, but is not required to, enter into a payment plan and pay amount due in equal monthly payments over the lesser of six months or the time remaining under the rental agreement, and

(c) Information regarding the Virginia Rent and Mortgage Relief Program and information on how to reach 2-1-1 Virginia to determine any additional federal, state, or local rent relief programs, and

(d) That the Plaintiff/Landlord will apply for rental assistance on behalf of the Tenant with the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program no later than fourteen days from the time the written notice is served on the Tenant or Landlord will cooperate with the Tenant’s application for rent relief.

AND

(2) The Tenant has failed to pay in full the amount due and owing within fourteen days and, if Plaintiff/Landlord is the owner of multi-dwelling units, the Tenant has failed to enter a payment plan, or pay an installment required by the payment plan.

AND

(3) One of the following exceptions to the moratorium on evictions as contained Section 8 of the 2020 Special Session, Budget Amendments – HB5005 exists:

- (a) The Tenant refuses to apply for Virginia Rent and Mortgage Relief Program assistance and Tenant refuses to cooperate with the Plaintiff/Landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program; or
- (b) The Plaintiff/Landlord or Tenant did not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within forty-five days of the when the application for assistance is made by the Tenant or Plaintiff/Landlord; or
- (c) The Plaintiff/Landlord or Tenant did not receive written approval from the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program within fourteen days of submission of a subsequent application for assistance; or
- (d) The Tenant does not qualify for the Virginia Rent and Mortgage Relief Program or any other federal, state, or local rent relief program or there are no longer funds available from these rental assistance programs.

AND

(4) The U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) Order providing for a temporary eviction moratorium is inapplicable and Plaintiff/Landlord certifies that:

- (a) Plaintiff/Landlord has not received a Declaration Under Penalty of Perjury for the Centers for Disease Control and Prevention’s Temporary Halt in Evictions (hereinafter ‘Tenant Declaration’) from Defendant(s)/Tenant(s); and
- (b) Plaintiff/Landlord will notify the Clerk and the Sheriff for the appropriate jurisdiction, either Arlington County or the City of Falls Church, that the Writ of Eviction shall be revoked if a Tenant Declaration is received by the Plaintiff/Landlord prior to the execution of any Writ of Eviction; and
- (c) A Plaintiff/Landlord violating the CDC Order that temporarily halts residential evictions to prevent the further spread of COVID-19 may be subject to criminal penalties of a fine and/or jail.

Pursuant to § 8.01-4.3, I certify under penalty of perjury that the foregoing is true and correct.

 Date
 Signatory Name and Address:

Plaintiff/Landlord or Counsel