



ARLINGTON COUNTY Housing Information Center

COURT EVICTION

The legal document, called "An Unlawful Detainer," is a notice to appear in court because your landlord wants to evict you. This means the landlord wants the Court to order you to move out of the apartment or house you are renting.

The information listed below is offered by the Arlington Tenant-Landlord Commission to help you better understand what will happen next and what you can do.

What Will Happen

Court appearance. The date of the court appearance is the date shown on the "unlawful detainer". In court both the tenant and landlord (or his attorney) will be called forward. At this time the tenant may contest the charges and ask for a trial date.

Judge's decision. It is possible that the landlord will be granted possession at this appearance if you owe rent. This is particularly true if you didn't pay past due rent within the five days allowed by the 5-Day Notice.

If the judge does decide that the landlord has the right to evict you, a judgment will be issued against you. Unless you appeal that judgment within 10 days an order will be issued telling the Sheriff to supervise the removal of your property from the apartment. Eviction takes place approximately 15 days after the court date, and your furniture will be removed to the curb outside. You should receive a notice posted on your door by the Sheriff's Office a few days before the eviction is scheduled to take place.

Appeal. If the judge decides your landlord is right and you are wrong, you can appeal the judgment against you within ten days. You may have to post a bond to appeal. The case will be heard again in the Arlington Circuit Court. You are not required to have an attorney. In an appeal, however, it is best that you have one, because the landlord will have one.

What You Can Do

1. Talk to your landlord immediately to try to resolve the problem. Find out why you are being evicted. The law does not require the landlord to tell you why unless the reason is unpaid rent. If you are being evicted for unpaid rent, you will need to give your landlord a reasonable schedule for paying past as well as future rent.

2. Appear in court unless the Landlord cancels the summons in writing. You will lose your case if you do not go to court on the date on the "Unlawful Detainer." You are not required to have an attorney. The Landlord will have an attorney in court. If you have a real disagreement (which means you will have a trial) it is best for you to have an attorney. **THE LAWYER REFERRAL SERVICE (703) 228-3390 CAN OFFER THE NAMES OF ATTORNEYS WHO WILL SPEAK TO YOU INITIALLY FOR A NOMINAL FEE. LEGAL AID (Legal Services of**

Northern Virginia (703) 532-3733) CAN SOMETIMES GIVE FREE HELP TO PEOPLE WITH LOW INCOMES.

3. Call the Tenant-Landlord Office (703) 228-3765 if you have questions. You should understand what is happening. Call them also, if you need help translating these materials. Call the Clerk of the Court (703) 228-7900 if you need to request a change in the Court date.