



ARLINGTON COUNTY Housing Information Center

COURT EVICTION

“An Unlawful Detainer” is a legal 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.

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 day’s 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

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. See the following links to see if they will apply to you:

- [HUD Tenant Guidance](#)
- [Legal Services of Northern Virginia Model Affidavit](#)



- [Legal Services of Northern Virginia Declaracion Jurada](#)

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, but the landlord will have an attorney in court.

Referrals

Call the Housing Information Center at (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 at (703) 228-7900 to request a change to the court date.

Call the Lawyer Referral Service at (703) 228-3390 for attorneys who can speak to you for a nominal fee.

Call [Legal Services of Northern Virginia](#) at (703) 532-3733 to see if you qualify for free legal assistance. They also have created an [eviction information packet](#).

Call the [Department of Human Services](#) at (703) 228-1300 for emergency rental assistance.

Call Virginia Poverty Law Center's Eviction Helpline at (833) 663-8428 for additional information.