

**LOUDOUN COUNTY GENERAL DISTRICT COURT**

\_\_\_\_\_  
Plaintiff(s),

Case No: \_\_\_\_\_

v.

Address of Detained Property:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Defendant(s).

**AFFIDAVIT RELATED TO LEGAL ACTION FOR EVICTION PROCEEDINGS**

I, \_\_\_\_\_, the undersigned affiant, hereby swear and affirm the  
PRINT NAME  
section marked below as true and correct and made based on my own personal knowledge:

(AFFIANT MUST MARK ONE OF THE THREE APPLICABLE BOXES BELOW:)

1. The legal action filed with this affidavit relates to a non-residential (e.g., commercial) tenancy.

**OR**

2. The legal action filed with this affidavit relates to a residential tenancy but involves a breach of lease other than non-payment of rent.

**OR**

3. The legal action filed with this affidavit relates to a residential tenancy for non-payment of rent, **AND:**

A. I am personally familiar with the residential property occupied by the Defendant, to include the details of the Defendant's tenancy, the property's ownership and financing arrangements, and any and all liens that may exist on the property;

B. I am aware of and have reviewed the relevant provisions of **federal laws** and regulations that establish emergency moratoriums, requirements on landlords and/or protections to renters of residential properties which participate in federal housing programs, or properties that are secured by federally backed mortgage loan(s) or multifamily mortgage loan(s), to include but not limited to:

- i. Coronavirus Aid, Relief and Economic Security Act (**CARES Act**), Public Law 116-136, enacted March 27, 2020, prohibiting late fee charges or legal action for unpaid rent(s) occurring between March 27, 2020 and July 27, 2020 for covered properties;
- ii. **CDC Agency Order**: "Temporary Halt in Residential Evictions in Communities with Substantial or High Levels of Community Transmission of

COVID-19 to Prevent the Further Spread of COVID-19 (Order),” effective August 3, 2021 through October 3, 2021; and

iii. HUD Agency Eviction Moratorium on Certain Foreclosed Properties (FHA and HECM), as detailed in **Mortgagee Letter ML 2021-19**, effective through September 30, 2021.

C. I am aware of and have reviewed the relevant provisions of recent **state law** changes and emergency enactments that establish moratoriums, requirements on landlords and/or provide protections to renters of residential properties, to include but not limited to:

- i. **HB 7001** (enacted August 10, 2021), which provides requirements that must be satisfied before a party pursues legal action to evict a residential tenant for non-payment of rent;
- ii. **HB 5115** (enacted November 9, 2020) which provides certain rights to request a sixty (60) day judicial stay of legal proceedings up to ninety (90) days after the end of the state of emergency declared by Virginia’s Governor; and
- iii. **Virginia Code § 55.1-1204** of the Virginia Residential Landlord Tenant Act which requires landlord to provide tenant with the Statement of Tenant Rights and Responsibilities prior to filing this legal action; AND
- iv. **Virginia Code § 55.1-1254** of the Virginia Residential Landlord Tenant Act regarding notice requirements to a tenant for non-payment of rent.

D. Having reviewed all of the laws or regulations cited in this affidavit, or otherwise applicable, I certify that all legislatively or administratively required notices or other conditions have been satisfied prior to filing this legal action.

I understand further proof of the assertions made herein may be required at trial or prior to an award of default judgment.

**I certify under penalty of perjury that the foregoing marked section is true and correct and made upon personal knowledge this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.**

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Printed Name of Affiant

*The abovesigned affiant, \_\_\_\_\_, personally appeared before me, the undersigned Notary Public / Deputy Clerk, and was duly sworn and affirmed the information herein as true and correct under penalty of law.*

\_\_\_\_\_  
Notary Public / Deputy Clerk

Commission expires: \_\_\_\_\_  
Registration No.: \_\_\_\_\_