

# Northern Virginia Eviction Prevention & Housing Stability Toolkit

## TENANT SUPPLEMENT



## About This Supplement

This is a supplement to the Northern Virginia Eviction Prevention and Housing Stability Toolkit, created by the Northern Virginia Affordable Housing Alliance (NVAHA) and Legal Services of Northern Virginia (LSNV) in collaboration with a regional coalition of advocates, attorneys, property owners, and representatives from local governments. This supplement contains information relevant to tenants and human service providers working directly with tenants in the Northern Virginia region. Due to the dynamic and evolving nature of housing stability during the COVID-19 pandemic, the information in this supplement is subject to frequent updates. The most current version of this supplement, and the complete Northern Virginia Eviction Prevention and Housing Stability Toolkit are available as part of a collection of COVID-19-related resources on the NVAHA website at: <https://nvaha.org/covid-19-resources-and-updates/>. Additional COVID-19-related *legal* resources are available from LSNV at: <http://www.lsnv.org/coronavirus-covid-19/>.

## Eviction Prevention & Racial Equity

In Virginia and nationwide, Black and Latinx households face a disproportionate risk of eviction and COVID-19-related housing instability.<sup>1,2</sup> This risk both stems from and threatens to exacerbate disparities in COVID-19 infections and outcomes, and the economic impact of the pandemic. It is important for advocates, policymakers and providers to understand the current eviction crisis as not only a humanitarian and public health issue, but a racial equity issue. If we do not take action to prevent the coming wave of evictions, it will harm us all, but the greatest harm will be experienced by Black and brown residents – residents who are already suffering disproportionately from the COVID-19 pandemic.

### About NVAHA

The mission of the Northern Virginia Affordable Housing Alliance is to promote healthy, sustainable and equitable communities that meet the diverse housing needs of Northern Virginia residents through policy advocacy, education and research.

### About LSNV

Legal Services of Northern Virginia is the largest legal aid organization in Northern Virginia, helping thousands of clients each year in civil legal matters. LSNV partners closely with other legal aid organizations, state and local bar associations, as well as the courts to serve the region's low-income and neediest populations.

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<sup>1</sup> “A Triple Pandemic?” The Economic Impacts of COVID-19 Disproportionately Affect Black and Hispanic Households,” Joint Center for Housing Studies at Harvard University, July 7, 2020. <https://www.jchs.harvard.edu/blog/a-triple-pandemic-the-economic-impacts-of-covid-19-disproportionately-affect-black-and-hispanic-households/>

<sup>2</sup> “Revisiting COVID-19, Evictions, and Racial Equity,” Housing Opportunities Made Equal of Virginia, Inc., April 8, 2020. <https://homeofva.org/revisiting-covid-19-evictions-and-racial-equity/>

## What Tenants Need to Know

1. **Your landlord CANNOT evict you without following a legal process** (see page 5). Your landlord **MUST give you 14 days' notice** before filing an eviction suit.
2. If you were financially impacted by COVID-19, your landlord **MUST apply for rental assistance on your behalf**, if you have not applied on your own. If you applied for assistance, your landlord **MUST** cooperate with your application and provide **ALL** required documentation. Your landlord may only file to evict you if you are found ineligible for state rental assistance, refuse to apply for assistance, or if you are not approved within 45 days of filing your first application or 14 days of filing an additional application for assistance. If your landlord owns more than 4 units, they must also offer you a repayment plan without late fees.
3. **Rental assistance is available!** The state Rent Relief Program (RRP) will cover 100% of previous and future months' rent for up to 18 months. You can apply for RRP funds directly or ask your landlord to apply on your behalf.  
**Note:** As of Feb. 15, landlords and tenants in Fairfax County are no longer eligible for RRP funds and need to apply for assistance through a separate, County-run program. See page 4 for details.
4. If you are facing an eviction case (“unlawful detainer”) in court and have questions or need legal representation contact Legal Services of Northern Virginia:

**Phone:** 703-778-6800 (Mon – Thurs, 9:30am – 12:30pm & 1:30 – 3:30pm)

**Website:** [www.LSNV.org](http://www.LSNV.org)

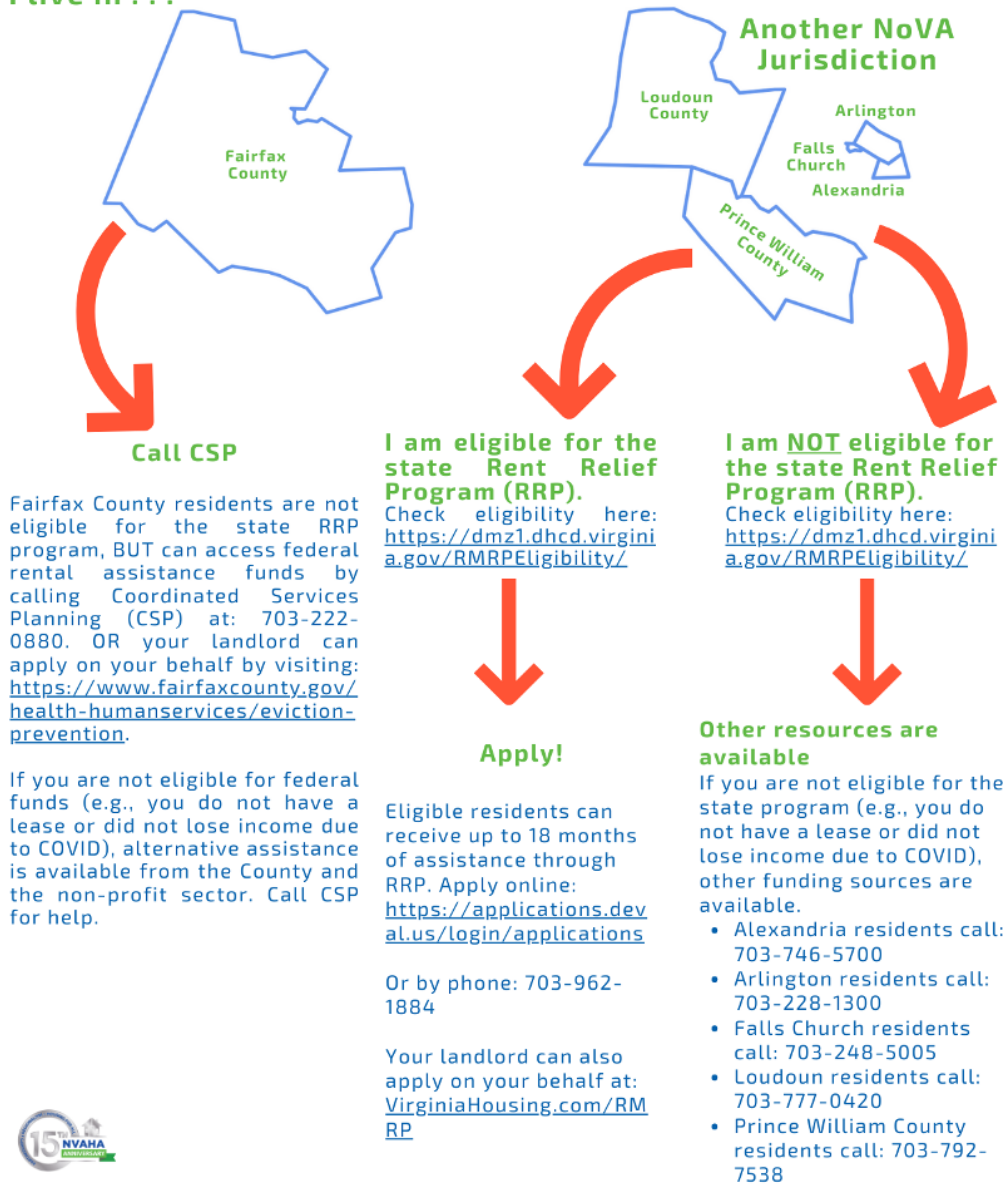
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**Developed by the Northern Virginia Affordable Housing Alliance  
& Legal Services of Northern Virginia**

## Where should I go to access rental assistance?

There are many resources available to help Northern Virginia residents pay their rent and avoid eviction during the COVID-19 pandemic. Use this graphic to find the rental assistance option that is the best fit for you.

I live in . . .



# NAVIGATING THE EVICTION PROCESS DURING COVID-19

## 1 NOTICE



If you miss a rent payment, your landlord is **required** to give you a written notice (called a "Pay or Quit" notice) **before** filing an eviction suit. **You do not have to move out after receiving this notice.** Under current state law, your landlord **must wait at least 14 days** after giving you this notice to file an eviction suit. It is a warning that your landlord is planning to take legal action. If you live in a building with **more than 4 units**, your landlord also cannot evict you without first offering a repayment plan. If you agree to a repayment plan, you may be eligible for assistance from the state or your local jurisdiction to help you make payments.

## 2 SUMMONS



If you receive a summons, **you must appear in court** at the date & time specified. Due to the COVID-19 pandemic, you may be able to appear remotely. **If you do not appear in court on this date, there will be a default judgement for the landlord.**

## 3 FIRST RETURN



The date listed on the summons is the "first return" date. The first return is your opportunity to dispute the case and request a trial. **If you do not appear in court on this date, there will be a default judgement for the landlord.**

## 4 TRIAL DATE



The trial is your opportunity to present evidence in your defense, including papers, receipts and witnesses. For advice on your case or to seek representation contact Legal Services of Northern Virginia at: **703-778-6800**.

## 5 APPEAL PERIOD



If the judge rules in favor of your landlord, **you cannot be evicted for at least 10 days** (even if the landlord is awarded immediate possession). During this period, you can appeal the ruling. If the judge ruled you owe your landlord money and you appeal the ruling, you will need to pay a writ tax and appeal bond (usually equal to the rent you owe, late fees, attorney fees, and any other damages).

## 6 WRIT OF POSSESSION



If the judge rules in favor of your landlord, the landlord will issue a "writ of eviction" to the Sheriff's Office. The Sheriff has 30 days from the time the writ is issued to post a notice of eviction on your door. The Sheriff must give you **at least 72 hours** from the time the notice is posted to vacate the premises, but usually will allow 7-10 days.

## 7 EVICTION



After 72 hours (or the amount of time listed on the eviction notice) the eviction can take place. It is best to pack-up and move your belongings before this time. If you do not have a place to live, contact your local Department of Social Services. If your landlord locks you out of your home, or otherwise attempts to evict you without following the steps above, you may be able to file an "Unlawful Exclusion" suit. Contact: **1-866-LEGL-AID or 1-833-NoEvict**.



## **Health & Wellness Resources**

### **Support for Survivors of Domestic Violence**

Survivors of domestic and intimate partner violence face heightened risk during the COVID-19 pandemic due to increased stress and financial strain, compounded by stay-at-home orders. If you are a victim of domestic violence, you may be able to terminate your obligations under your lease, or take over tenancy if someone you live with was excluded by a court order. For more information contact the National Domestic Violence Hotline at **1-800-799-7233**, or contact the domestic violence hotline in your jurisdiction:

- ✓ City of Alexandria: 703-746-4911
- ✓ Arlington County: 703-237-0881
- ✓ Fairfax County: 703-360-7273
- ✓ Loudoun County: 703-777-6552
- ✓ Prince William County (ACTS Domestic Violence Services): 703-221-4951

### **Child Abuse & Neglect**

In addition to the added risks described above, identifying cases of child abuse and neglect is more difficult due to school closures, as children no longer have contact with educators, who are mandatory reporters. To report cases of child abuse and neglect contact:

- ✓ City of Alexandria: 703-746-5800
- ✓ Arlington County: 703-228-1500
- ✓ Fairfax County: 703-324-7400
- ✓ Loudoun County: 703-771-5437
- ✓ Prince William County: 703-792-4200
- ✓ State of Virginia: 1-800-552-7096

### **Mental Health Resources**

If the stress and financial strain of the COVID-19 pandemic are causing you or your child to experience a mental health crisis, contact:

- ✓ Crisis Link Hotline: 703-527-4077 (or text CONNECT to 855-11)