

Tenants receiving HUD subsidized or LIHTC (low-income housing tax credit) rental assistance with questions are encouraged to contact their local legal aid program at (866) 534-5243 or [valegalaid.org/find-legal-help](http://valegalaid.org/find-legal-help)

Landlord name	
Landlord address	
City, State, Zip	
Landlord phone	
Landlord fax	
Landlord email	

FIVE (5) DAY NONPAYMENT NOTICE  
or  
THIRTY-DAY NONPAYMENT NOTICE  
[check one]<sup>1</sup>

TO:

Date: \_\_\_\_\_

Take notice that you have failed to pay and currently owe rent, late charges, and other charges for your dwelling unit as described below:

Rent due for this period: \_\_\_\_\_ \$ \_\_\_\_\_  
Late fees due for this period: \_\_\_\_\_ \$ \_\_\_\_\_  
Other charges due (described below): \_\_\_\_\_ \$ \_\_\_\_\_

**Total Amount owed as of this date:** \_\_\_\_\_ \$ \_\_\_\_\_

This nonpayment of rent, late charges, and other charges could lead to your eviction.

You have a deadline date after your receipt of this notice to respond and pay the total amount due and owed. **That date is:** \_\_\_\_\_.

<sup>1</sup> Tenants in HUD subsidized tenant-based rent assistance must receive a 30-day nonpayment notice under [PIH Notice 2021-29](#). All other tenants, including HUD housing choice voucher tenants, must receive a 5-day nonpayment notice.

## RENTAL ASSISTANCE RESOURCES

You may wish to contact 2 - 1 - 1 Virginia to determine any additional federal, state, or local rent relief programs for which you might be eligible by visiting: <https://211virginia.org> or calling 211.

You may wish to contact your local legal aid program for free legal assistance to low-income people by visiting: <https://www.valegalaid.org/find-legal-help> or calling 1-866-LEGLAID (1-866-534-5243).

If you do not respond and pay the total amount due and owed by the deadline date noted above and you have not moved, your landlord may file an eviction lawsuit (Summons for Unlawful Detainer) to ask for a court order to evict you.

### [VIOLENCE AGAINST WOMEN ACT (VAWA) PROTECTIONS]

Your landlord has no information that the violation(s) described above are as a result of your status as a victim entitled to protections under the federal Violence Against Women Act (VAWA) or applicable state or local law. Attached, please find copies of a Notice of Occupancy Rights under the Violence Against Women Act, and a Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Form, which VAWA requires that we provide to you.

### [HEARING RIGHTS BEFORE COURT FILING]<sup>2</sup>

[OPTION 1: HEARING RIGHTS]. You have the right to a hearing before a court filing to discuss this notice with your landlord. You have ten (10) days after your receipt of this notice to ask your landlord in writing for that hearing. That date is: \_\_\_\_\_. If you ask your landlord in writing by that date for that hearing, your landlord will schedule that hearing with you and not file an eviction lawsuit until after that hearing (if an eviction lawsuit still is needed). You still will have the right to go to court to defend against an eviction lawsuit.

[OPTION 2: NO HEARING RIGHTS]. You do not have the right to a hearing before a court filing to discuss this notice with your landlord. The reason you do not have that right is:

You still will have the right to go to court to defend against an eviction lawsuit.

---

<sup>2</sup>Federal subsidies may give tenants the right to a hearing before a court filing in certain circumstances.

[REDEMPTION RIGHTS]

Payment of any and all amounts owed, including payment of any rent, damages, money judgment, award of attorney fees, and court costs, are hereby accepted with reservation in accordance with Virginia Code § 55.1-1250 and does not waive (give up) the landlord's right to evict you. Any partial payment of rent will not prevent your landlord from taking action to evict you. However, full payment of all amounts you owe the landlord, including all rent as contracted for in the rental agreement that is owed to the landlord as of the date payment is made, as well as any damages, money judgment, award of attorney fees, and court costs made at least 48 hours before the scheduled eviction will cause the eviction to be canceled, unless there are bases for the entry of an order of possession other than nonpayment of rent stated in the unlawful detainer action filed by the landlord.

In addition, full payment of all amounts you owe the landlord, including all rent as contracted for in the rental agreement that is owed to the landlord as of the date payment is made, as well as any damages, money judgment, award of attorney fees, and court costs made at the return date (first court date) will cause the eviction lawsuit to be dismissed, unless there are bases for the entry of an order of possession other than nonpayment of rent stated in the unlawful detainer action filed by the landlord.

Upon your written request, your landlord will provide you a written statement of all amounts owed to your landlord so you may pay the exact amount needed to exercise these rights. You may exercise your redemption rights at any time unless your landlord rents 4 or fewer units and has limited your redemption rights to once per lease period with a previous written notice.

Your prompt attention to this matter is both necessary and appreciated.

I certify that a true and exact copy of this Nonpayment Notice was given to the tenant at the address shown above by

- First class mail
- Hand delivery
- Electronic mail

on \_\_\_\_\_.

By: \_\_\_\_\_