

**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, 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 the Coronavirus Aid, Relief and Economic Security (CARES) Act, Public Law 116-136, enacted March 27, 2020, that provides certain protections to renters of residential properties that participate in federal housing programs, or properties that are secured by federally backed mortgage loan(s) or multifamily mortgage loan(s);

C. Having reviewed this legislation, I certify that the debt on the property at issue in this matter is not receiving a forbearance pursuant to section of 4023 of the CARES Act; and I further certify that the property at issue is not subject to a federal prohibition on evictions;

- D. I certify that I am aware that if the residential property is covered by the CARES Act that section 4024 of the CARES Act requires 30 day notice to vacate to the tenant after the residential eviction moratorium ended on July 25, 2020;
- E. I am aware of and have reviewed the Virginia budget legislation enacted November 18, 2020 (HB5005) which provides that, pursuant to the Governor's declaration of a state of emergency under Virginia Code Section 44-146.17 in response to the coronavirus pandemic, no landlord shall terminate a residential tenancy, or take any action to obtain possession of a dwelling unit for nonpayment of rent through December 31, 2020, unless such eligible tenant refuses to apply for Virginia Rent and Mortgage Relief Program (VRMRP) assistance and refuses to cooperate with the landlord in applying for rental assistance through the Virginia Rent and Mortgage Relief Program;
- F. Having reviewed this legislation, I certify that the tenant(s) in the attached legal action refused to apply for rental assistance under the VRMRP and further refused to cooperate with landlord's efforts to apply for rental assistance under the VRMRP; AND,
- G. All of the state or federal legislatively required Notices have been properly issued prior to filing this legal action.

I understand further proof of the assertions made herein may be required at trial.

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.: \_\_\_\_\_