

SB 1089 Chapter 443 HB 1836 Chapter 442



An Act to amend and reenact §8.01-471 of the Code of Virginia, relating to writs of eviction; returns to issuing clerk.

SB 1089 Chapter 443

HB 1836 Chapter 442



Additional Information

Directs the Office of the Executive Secretary of the Supreme Court of Virginia to report annually to the Chairmen of the Senate Committee on the Judiciary, the Senate Committee on General Laws and Technology, the House Committee for Courts of Justice, the House Committee on General Laws, and the Virginia Housing Commission on the number of executed writs returned during the preceding fiscal year.



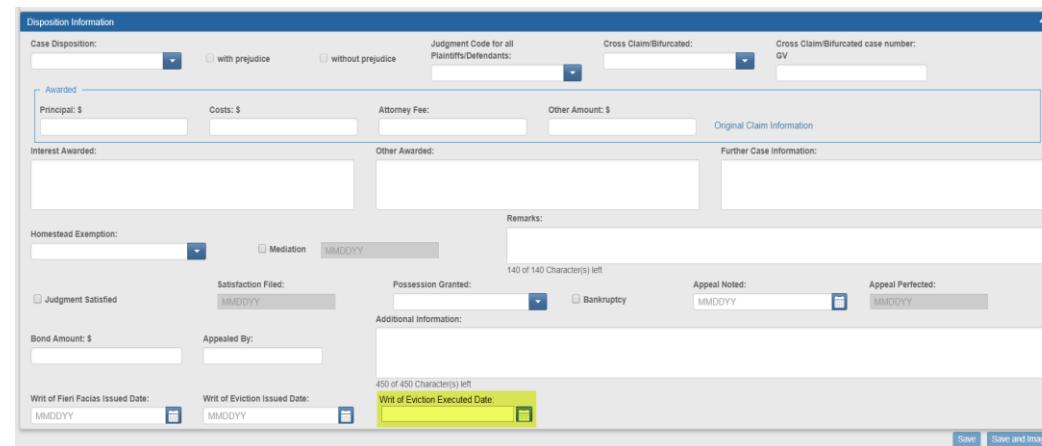
Form Changes

DC-469 Request for Writ of Eviction in Unlawful Detainer Proceedings



Procedural Changes

When the sheriff returns an executed, DC-469 Request for Writ of Eviction in Unlawful Detainer Proceedings, update GCMS with the date executed.



The screenshot shows a web-based form titled "Disposition Information". It contains various fields for case disposition, judgment code, cross claim/bifurcated case number, and amounts. Key fields include "Case Disposition", "Judgment Code for all Plaintiffs/Defendants", "Cross Claim/Bifurcated", "Cross Claim/Bifurcated case number", "Principal", "Costs", "Attorney Fee", "Other Amount", "Interest Awarded", "Other Awarded", "Further Case Information", "Homestead Exemption", "Mediation", "Satisfaction Filed", "Possession Granted", "Bankruptcy", "Appeal Noted", "Appeal Perfected", "Bond Amount", "Appealed By", "Writ of Fieri Facias Issued Date", "Writ of Eviction Issued Date", and "Writ of Eviction Executed Date". The "Writ of Eviction Executed Date" field is highlighted in yellow. The form also includes "Save" and "Save and Image" buttons at the bottom right.

WRIT OF EVICTION

Va. Code §§ 8.01-470, 8.01-472

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth to cause the Plaintiff(s) to have possession of the following premises from the defendant(s):

You are further commanded to make a return before me within 30 days of this date as to the day and manner of executing this writ.

DATE CLERK JUDGE

Notice to Defendant (Tenant):

If the landlord has checked the box above that this writ of eviction is requested pursuant to the Virginia Residential Landlord and Tenant Act, and the only reason for the entry of an order of possession was nonpayment of rent, then you, or someone on your behalf, may pay the landlord, the landlord's attorney or the court all amounts claimed on the Summons for Unlawful Detainer, including current rent, damages, late fees, costs of court, any civil recovery, attorney fees and sheriff fees, including the sheriff fees for service of the writ of eviction if payment is made after issuance of the writ, no less than 48 hours before the date and time scheduled by the sheriff for the eviction, in order to avoid the eviction. You may pay by cashier's check, certified check or money order. If you appeal the unlawful detainer case and pay any required bond, writ tax and costs after the sheriff has served the notice of intent to execute the writ of eviction, you must notify the sheriff of your appeal.

FORM DC-469 DRAFT Spring DCFAC 07/23/99-92

CAME TO HAND

DATE AND TIME

, SHERIFF

EXECUTED by taking into possession the within-named premises and delivering possession of it to the plaintiff(s).

DATE

I understand that I am required, pursuant to Va. Code § 8.01-471, to return this executed writ of eviction to the clerk's office of the court that issued this writ.

, SHERIFF

by DEPUTY SHERIFF