

KNOW YOUR RIGHTS

IF YOUR LANDLORD TAKES YOU TO COURT

If you are in court for an eviction, you can ask for a "trial" and "pleadings" so you can fight the case against you. Tell the judge:

1. I disagree with the charges brought by my landlord.
2. I want a trial.
3. I want pleadings.

If the judge asks why you are requesting a trial, tell the judge:

So I can properly dispute the claims against me and explain why my landlord is wrong.

Flip this over for more information on trials and pleadings.

ALWAYS GO TO YOUR COURT DATE

If the judge orders pleadings and you don't submit them on time or don't show up to court, you could automatically lose. Write down the due dates and trial date here:

Bill of Particulars Due (from your landlord): _____

Grounds of Defense Due (from you): _____

Next Court Date: _____

For free legal assistance, call:

Eviction Legal Helpline (1-833-NoEvict)

Central Virginia Legal Aid Society (804-648-1012)

Legal Aid Justice Center (804-643-1086)



This is general legal information, not case-specific advice.

For advice about your case, please contact legal aid (1-866-LEGL-AID) or the Eviction Legal Helpline (1-833-NoEvict).

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What is a "trial"?

A trial is a hearing in court where the landlord and the tenant present the judge with evidence, witnesses, and arguments about the case.

Judges decide most eviction cases without holding trial. That is often because the tenant admits they violated the lease or the tenant does not show up to court.

When a judge orders a trial in an eviction case, they will usually schedule it within a few weeks after the case's first court date.

What are "pleadings"?

Pleadings are written explanations that can help tenants prepare for a trial and make better arguments why the landlord should not win. The judge will set two due dates for the pleadings:

1. By the first date, the landlord will have to give the tenant and the court a written explanation of why they should win the case (this is called a "Bill of Particulars").
2. By the second date, the tenant will have to give to the court and the landlord a written explanation of why the landlord should not win (this is called a "Grounds of Defense").

Pleadings can also make court more expensive, because the judge can add the landlord's attorney fees to what the tenant owes.

Before ordering a trial and pleadings, the judge may ask you to explain why you dispute the landlord's claim.

To learn about defenses that may apply to your case, visit: housing.vplc.org

