

SAMPLE FIVE DAY NOTICE

Notice of Default – Failure to Pay Rent

TO: _____ FROM: _____

In accordance with Section 55-225 and 55-248.31, Code of Virginia, you are hereby notified that you are in default in the payment of rent, late charges and miscellaneous charges as itemized below.

Itemized Charges

Rent for the month(s) of: _____

At \$ _____ per month: \$ _____

Late Charges for the month(s) of: _____

Total due landlord as of _____ \$ _____

If you fail to pay the full amount of rent due to your landlord within five (5) days of the date this notice was mailed, you may be subject to immediate institution of eviction proceedings. In accordance with Section 55-248.31, code of Virginia, you may then be liable for additional court costs and attorney fees.

Court Cost: \$ _____
Attorney Fees: \$ _____
Total attorney fees and court costs: \$ _____

You may avoid paying attorney fees and court costs only if the landlord receives the rent due within five (5) days of this notice. Postmarks will not be considered.

In addition, if rent is not paid within five (5) days, your landlord has the right to terminate your lease and regain possession of your rental property. If your lease is terminated and you are evicted, Virginia law (Section 55-248.35) gives the landlord a claim for damages for breach of lease. This claim may include the entire balance of your lease term.

Judgments are immediately reported to the credit bureau. Act now to protect your record.

If you believe your rent has been paid, contact the rental office immediately.

Your payment of rent at this time is accepted only with reservation and will not prevent the landlord from seeking possession of your dwelling in the General District Court.

In accordance with Section 55-248.31, code of Virginia, it is hereby certified that a true copy of the within notice of default was mailed to the tenant(s) names.

Therein, addressed to said tenant(s) at the address of the dwelling unit named therein all on the _____ day of _____, 20__.

BY: _____
Landlord's Authorized Representative