

Virginia Eviction Process: Notices, Court Steps and Timeline

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/virginia-eviction-process>

Most Virginia evictions are unlawful detainer cases in general district court under the Virginia Residential Landlord and Tenant Act. A nonpayment case starts with a 14 day written notice to pay, and other breaches use a 30 day notice that often includes a 21 day chance to fix the problem.

Key points

- For unpaid rent, the landlord serves written notice giving the tenant 14 days to pay before the lease can be terminated.
- For a breach that can be fixed, the notice says the lease ends at least 30 days after receipt unless the tenant fixes it within 21 days; a breach that cannot be fixed needs at least 30 days of notice, and a criminal or willful act threatening health or safety allows immediate termination.
- A month to month tenancy can be ended by either side with written notice at least 30 days before the next rent due date, unless the lease sets a different period; no reason is required.
- Unlawful detainer cases are filed in the general district court for the city or county where the property is located.
- The summons sets an initial hearing date, generally within about three weeks of filing, where the tenant can contest the case.

Virginia at a glance

Rule	Virginia	Law
Notice for unpaid rent	For unpaid rent, the landlord serves written notice giving the tenant 14 days to pay before the lease can be terminated.	Va. Code 55.1-1245(F)
Notice for a lease violation	For a breach that can be fixed, the notice says the lease ends at least 30 days after receipt unless the tenant fixes it within 21 days; a breach that cannot be fixed needs at least 30 days of notice, and a criminal or willful act threatening health or safety allows immediate termination.	Va. Code 55.1-1245(A) to (C)

Rule	Virginia	Law
Ending a tenancy without cause	A month to month tenancy can be ended by either side with written notice at least 30 days before the next rent due date, unless the lease sets a different period; no reason is required.	Va. Code 55.1-1253
Where the case is filed	Unlawful detainer cases are filed in the general district court for the city or county where the property is located.	Code of Virginia, Title 8.01 (unlawful detainer)
Tenant response time	The summons sets an initial hearing date, generally within about three weeks of filing, where the tenant can contest the case.	Code of Virginia, Title 8.01 (unlawful detainer)
Removal after judgment	Generally, after judgment the landlord asks for a writ of eviction, and the sheriff gives the tenant notice before carrying it out.	Code of Virginia, Title 8.01
Typical overall timeline	A nonpayment case often takes about four to eight weeks from notice to removal.	Court practice (estimate)

Timeline

Step	Typical time	Rule
Notice period for unpaid rent	14 days	Va. Code 55.1-1245(F)
Notice period for a lease violation	30 days	Va. Code 55.1-1245(A) to (C)
Tenant response after the case is served	Set by the court	Code of Virginia, Title 8.01 (unlawful detainer)
From judgment to removal	Short waiting period	Code of Virginia, Title 8.01
Whole case, uncontested	A few weeks	Court practice (estimate)

Mistakes to avoid

- Demanding more than the rent actually owed in a notice for unpaid rent, for example by adding late fees or utilities.
- Counting the notice period wrong and filing a day too early.
- Taking partial rent after serving a notice without knowing how it affects the case.
- Keeping no proof of service. Write down who delivered the notice, how and when, and keep a copy.

- Trying to speed things up with a lockout, a utility shutoff or by moving belongings out.

Verify current law

Laws named in this summary:

- Va. Code 55.1-1245(F)
- Va. Code 55.1-1245(A) to (C)
- Va. Code 55.1-1253
- Code of Virginia, Title 8.01 (unlawful detainer)
- Code of Virginia, Title 8.01
- Virginia Residential Landlord and Tenant Act

Official sources:

- Code of Virginia (Virginia Legislative Information System):
<https://law.lis.virginia.gov/vacode/title55.1/chapter12/>
- Virginia Department of Housing and Community Development: tenant rights statement:
<https://www.dhcd.virginia.gov/>
- Virginia's Judicial System: <https://www.vacourts.gov/>

General information, not legal advice. Check current law and talk to a Virginia attorney before you act. Last reviewed October 29, 2026.