

BARR NOTICE GUIDE

The Waynesboro Police Department has created the following document to assist landlords of property located within the City limits of Waynesboro, Virginia should they need to “barr” a guest or invitee of a tenant for conduct on the property where the premises are located that violates the terms and conditions of the rental agreement, a local ordinance, or a state or federal law.

Please note this guide should only be utilized by a landlord to barr a guest or invitee of a tenant pursuant to Virginia Code 55.1-1246 (Barring guest or invitee of a tenant). In addition, this code section places the responsibility of notice on the landlord and if a violation occurs it is the landlord’s responsibility to petition for a warrant prior to enforcement action from the police.

A Barr Notice is an official written notice from a landlord to a person who does not have a legal right to be on the premises. It will also notify the individual that their arrest or prosecution may result from their failure to comply with the Barr Notice.

Written Notice:

- You may write your own notice or use the following Barr Notice Form.
- Use only one form per barred guest or invitee.
- The Barr Notice must be served by the landlord on the barred guest or invitee personally.
- A copy of the Barr Notice must also be served on the tenant.
- Make a copy of the notice for your records.

If the offender/barred person comes back to the property after forbidden to do so, you may contact the Virginia State Magistrate and petition for a criminal warrant.

If there is an emergency call 911. If you have any other questions contact the Waynesboro Police Department at 540-942-6675.

All of the above documents will be required should any court proceedings arise from an arrest of the offender. Your presence in court to testify for any court proceedings will be required.

Please note that the Waynesboro Police Department will not accept nor maintain a file of Barr Notices.

Should you have any questions please, call 540-942-6675. An Officer will contact you as time permits to assist you with this matter.

The Waynesboro Police Department offers this information as a guide when dealing with property issues. It is not intended to replace legal counsel and the Waynesboro Police Department does not accept any liability for property owners, managers, or landlords’ actions when dealing with these situations.

**BARR NOTICE FOR GUESTS OR INVITEES
OF TENANTS FOR LANDLORDS**

NAME OF PERSON NOTIFIED: _____
Last First Middle

ADDRESS OF PERSON: _____

Sex: _____ Race: _____ DOB: _____ SSN: _____

In accordance with Section 55.1-1246 of the Code of Virginia, as amended, the undersigned landlord of

Waynesboro, Virginia does hereby notify you that you are barred as a guest and/or invitee from the premises listed for the following conduct that violates the terms and conditions of the rental agreement, a local ordinance, or a state or federal law:

This notice is effective immediately and shall remain active until such time as you may receive written permission from the undersigned landlord to enter or remain upon the premises of said property.

Your attention is called to the fact that if you violate this notice, you will be considered a trespasser and can be punished by a maximum penalty of \$2,500 fine or sentenced to twelve (12) months in jail or both. It is the undersigned owner/manager/agent's intention to see that you are prosecuted if this notice shall be violated by you.

Sincerely,

Landlord's Signature

&

Landlord's Printed Name

Executed by personally serving a copy this _____ day of _____, 20_____ to the guest and/or invitee listed above.

Executed by personally serving a copy this _____ day of _____, 20_____ to

the tenant of _____.