

TO: _____
(Name)

(Address)

RE: An advance of funds in the amount of
\$_____ upon a
promise to perform construction, repair or
improvement of a building or other structure
located at: _____

_____.

NOTICE

You are hereby notified pursuant to the provisions of Section 18.2-200.1 of the Code of Virginia, to return to us within fifteen (15) days from the date hereof an advance of funds we delivered to you in the amount of \$_____ upon a promise by you to perform certain construction, repair or improvement of a building or other structure permanently annexed to our real estate, which said construction, repair or improvement you have failed or refuse to perform after our repeated requests that you do so.

The referenced statute, which pertains to such matters, reads as follows:

Code of Virginia § 18.2-200.1. Failure to perform promise for construction, etc., in return for advances.

If any person obtain from another an advance of money, merchandise or other thing, of value, with fraudulent intent, upon a promise to perform construction, removal, repair or improvement of any building or structure permanently annexed to real property, or any other improvements to such real property, including horticulture, nursery or forest products, and fail or refuse to perform such promise, and also fail to substantially make good such advance, he shall be deemed guilty of the larceny of such money, merchandise or other thing if he fails to return such advance within fifteen days of a request to do so sent by certified mail, return receipt requested, to his last known address or to the address listed in the contract.

Dated this _____ day of _____, 20____.

