



# RENTER'S QUESTIONS ANSWERED

For more information call 800-625-2257

## I don't have enough money for rent, can my landlord evict me?

The Governor has issued a 45-day suspension, until May 17, on evictions based on failing to pay rent due to COVID-19. This rule applies to all tenants in Florida.

Despite the Governor's order, some courts are still letting landlords file evictions. The final stage of an eviction is a writ of possession. Most courts in our area are not issuing writs and it is likely no writs will be served until close of business May 29.

Congress passed the federal stimulus CARES Act which suspends evictions for 120-days, until July 25, on all qualified dwellings. That rule protects tenants with Section 8 or Rural Development vouchers. It also protects:

- Section 8 project-based housing
- Public Housing
- HUD-subsidized senior housing
- Other HUD-subsidized housing
- USDA-subsidized housing
- Tax credit or "LIHTC" housing

If you are protected by the federal stimulus CARES Act and you still owe your landlord by July 25, your landlord must deliver you a 30-day notice before they can file for eviction.

## I think I am protected from eviction, but my landlord has filed an eviction what should I do?

You should contact Bay Area Legal Services or another attorney.

## The conditions in my property are terrible and my landlord will not fix anything, what can I do?

Make any repair request in writing, over email or text. If the repairs are not urgent tell your landlord and give them time to make repairs. If the problems are affecting your health and safety, ask the landlord to make repairs right away.

If they will not make repairs, you can send a certified notice to your landlord giving them seven days to make the repairs or you will withhold rent for the month. Please contact Bay Area Legal Services before sending this letter to your landlord to make sure it complies with Florida law. You can also review your lease for any other rights you may have.

## My landlord wants to enter my home, but I don't want people in my home during COVID-19. Can I stop them?

For an emergency your landlord can enter your unit at any time. Normally, your landlord must give you notice at least 12 hours before entering your unit, and can only enter from 7:30 a.m. to 8 p.m.

If you are nervous about your landlord or others being in your home due to COVID-19, this is a valid concern based on CDC recommendations around self-quarantining and social distancing. Contact us for help deciding if you can keep your landlord out.

## If I am protected from an eviction for not paying rent, do I have to pay rent?

Yes. You still owe the rent and will eventually have to pay it. These suspensions give you time to get caught up with the rent, they do not cancel rent.

## I have a Section 8 voucher, public housing, or some other subsidized housing and I lost my job. What should I do?

Immediately report your loss of income so your rent can be adjusted. The next month's rent should be based on your new income. If there is delay in adjusting your rent because of COVID-19 crisis, you should receive a retroactive rent adjustment.

## My landlord filed an eviction against me before the COVID-19 crisis started, what will happen with my case?

It is not clear if the Governor's order suspending evictions applies to you. Some courts are still entering judgments for evictions and issuing writs of possession. The writ of possession is the last step in the eviction process.

Most clerks in our region are not issuing writs and it is likely that writs will not be served until close of business May 29.