



COVID-19: What Does It Mean for Evictions?

Info on COVID-19 and housing changes daily. Please come back to keep checking for updates. This info was last updated on April 15th. For more information, please call 1-800-238-1443 or visit las.org.

What do I need to know as a tenant?

- You must still pay rent
- Tenants' rights have not changed because of COVID-19
- Tenants' duties have not changed because of COVID-19
- Your landlord cannot lock you out of your place
- Your landlord cannot turn off your electricity or water
- If your landlord wants to evict you, they still must take you to court

How soon can I be evicted for not paying my rent?

It depends. Courts are closed for nonpayment of rent cases until at least May 1st. **Your landlord cannot evict you until the courts re-open.**

When can I be evicted?

Unless you live in the housing highlighted in the next column, here is when you can be evicted.

- You don't pay rent
- Your landlord can file a case to evict you now
- The case will be scheduled once the courts re-open
- At your court date, the judge will decide if you get to stay or must move
- If the judge says you must move, the judge will give you ten more days to move
- If you are not out by the end of those ten days, your landlord can ask the Sheriff to come force you out

Some landlords are not allowed to evict tenants for not paying rent until July 25th. These are some of the landlords that can't evict tenants for not paying rent until July 25th:

- **Public housing**
- **Project-based Section 8 housing**
- **Low Income Housing Tax Credit housing**
- **Rural Development housing**
- **Landlords with a federally-backed mortgage loan**

If you live in any of the housing listed above, this is the process:

- You don't pay rent
- It passes July 25th
- Your landlord must give you 30 days' notice that they plan to evict you
- After those 30 days are up, your landlord can file a paper to have you evicted. That paper is called a "detainer warrant" or "detainer summons"
- Someone will "serve" you with this paper. You are served when someone hands you the papers or they tape the paper to the door of your place
- The detainer warrant will give you a court date
- At your court date, the judge will decide if you get to stay or must move
- If the judge says you must move, the judge will give you ten more days to move
- If you are not out by the end of those ten days, your landlord can ask the Sheriff to come force you out



Can I still be evicted for other things?

Yes. Tenants **CAN** still be evicted if they break the lease another way. You should still follow all state laws and rules from your lease. Just because there is a pandemic, you do not have the right to break the rules in your lease. Want to know what your duties are as a tenant? [Click here for more information.](#)

How soon can I be evicted for breaking my lease for something OTHER than not paying rent?

We don't know. Courts are not having in-person cases for evictions right now. Some judges may start doing video hearings for evictions soon. If they do, then you can be evicted sooner.

Can my landlord charge me late fees?

Maybe. Some landlords are not allowed to charge late fees until July 25th. These are some of the landlords that can't charge late fees until July 25th:

- Public housing
- Project-based Section 8 housing
- Low Income Housing Tax Credit housing
- Rural Development housing
- Landlords with a federally-backed mortgage loan

If you want to know if your landlord can charge you late fees, you can visit one of our legal clinics. Visit LAS.org/phone-clinics for a list of our upcoming legal clinics.

Can I break my lease and move if I can't afford the rent?

Legally, no. The law says that if you rent a place, you need to stay there until the lease is over. But, you should talk to your landlord. They might let you out of a lease if you can't pay so they can rent it to someone else. You should ask your landlord to let you out of your lease without making you pay a "termination fee."

What if I don't have a written lease agreement?

If you don't have a written lease agreement, you have an oral lease agreement. If you pay your rent monthly, then you have a month-to-month lease. Your landlord can end your lease by giving you written notice thirty days before they want to end your lease.

If you pay your rent weekly, then you have a week-to-week lease agreement. Your landlord can end your lease by giving you written notice ten days before they want to end your lease.



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This booklet cannot take the place of legal advice. All cases are different and need individual attention.