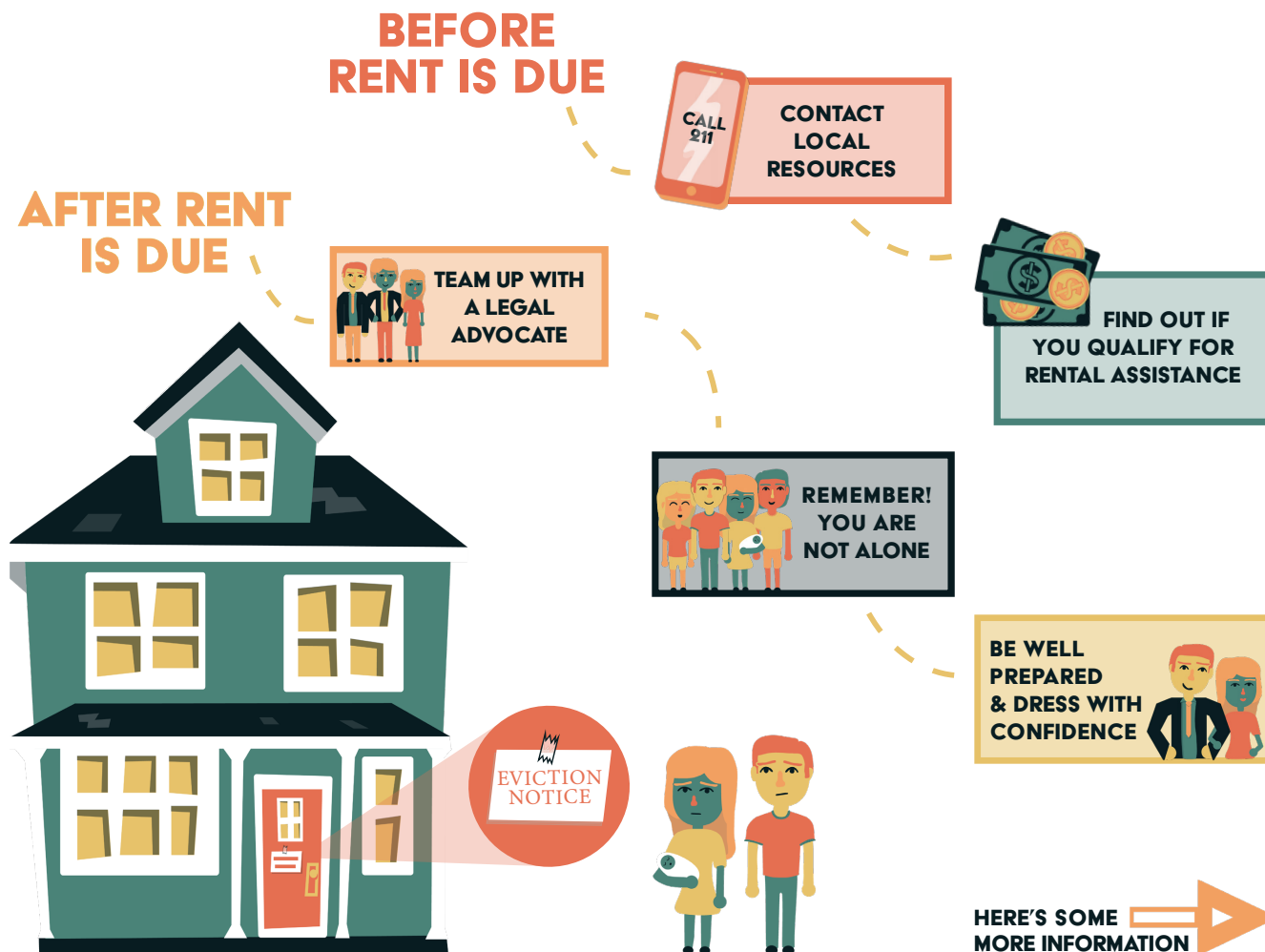


FACING OFF WITH EVICTION

YOU MIGHT NOT BE ABLE TO PAY NEXT
MONTH'S RENT. WHAT DO YOU DO?



YOU WANT TO STAY IN YOUR HOME, DON'T GIVE UP!

THE POSSIBILITY OF BEING FORCED TO MOVE IS EMOTIONALLY INTENSE, AND IT CAN BE HARD TO MAKE GOOD DECISIONS. SLOW DOWN AND TURN TO THE RESOURCES THAT CAN HELP YOU NAVIGATE THE SITUATION.

BEFORE RENT IS DUE



Rental assistance could be available for past, current, and future months. Call 211 to see what kind of funding you might qualify for, the sooner the better, because funds may take some time to arrive. Avoid payday lending loans; these contain high interest rates that could bog you down later on.



Set aside 15-30 minutes for your phone call, and be prepared with a paystub or other income information. 211 will give you contact information for resources, but you might have to call a few different places to receive the funds available to you.

Make sure you're in a quiet place, with plenty of time and battery life to make calls. Stick with it; your phone call is important!



Keep your landlord in the loop about your efforts to secure money for rent. Eviction isn't an ideal outcome for landlords either, so make an effort to see what you can work out together.

Communicate via text or email if possible. It is important to get things in writing, as these communications are admissible in court. Remember to keep your messages simple and professional, do not say anything you would not want to be read aloud in court.



Make a partial payment if possible, and indicate on the payment what month it should go toward. Pay toward the current month first before catching up with any back rent that might be due. For example, if it is September 1st, you should pay the rent for September, even if you have not paid the August rent yet. Pay with a money order or check and have a record of the payment. Text or email your landlord telling them that you have sent payment, and ask for assurances you will not be evicted.



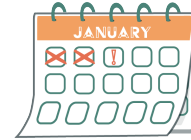
AFTER RENT IS DUE



Landlords can serve a three-day eviction notice on your door the day after a payment is due. This does not mean you are evicted. You have three days to make payment and negotiate with your landlord before an eviction complaint can be filed. Keep in mind, even if you make payment during this period, your landlord is not required to accept it. You may still face eviction.



Legal aid organizations are available, and you should take advantage of them! As soon as you are served with a three-day eviction notice, call and you will talk to an attorney within a day. It won't cost anything. They will ask questions to determine if you are eligible based on your income or situation. A free legal aid attorney will work to help you negotiate with your landlord and in court, if it comes to that. They will be your advocate throughout the process.



Three days after you receive notice, an Eviction Complaint can be filed by your landlord. A court date will be scheduled, usually within a few weeks. They will send your scheduled court date through the mail to your current address.



If you choose to vacate the space before your court date, remove belongings, and clean what you can. Be sure to leave it in good condition, and take photos for documentation. Also be sure to document returning the keys to the landlord, either by getting a written receipt or having a witness present. You can even take a video of yourself returning the keys. If you choose to vacate the house, you still have to show up for your court date to make sure the eviction is dismissed. It's also important to show up to make sure you are only held responsible for appropriate costs and fees.

WHAT YOU NEED TO DO:



When you get your notice, be sure to take a moment for yourself. You want to stay grounded, so take a deep breath, try taking a shower or calling a friend for support to help calm down. Don't make any immediate decisions.



Don't feel ashamed. It is important to have compassion for yourself, and understand that this can happen to anyone.

NOTE!

If you were withholding rent to try to force the landlord to fix problems or make repairs to the unit, you must do this through the proper escrow process! Pay the rent that's due, then speak to a legal aid attorney about how to utilize the escrow process to get what you need without risking eviction.



THINGS TO CHECK!

Does your lease include a grace period for late payments?



In the past, has your landlord regularly accepted late payments without a fuss? In court this would be called "pattern and practice."

A 'yes' to either of those questions could buy you some time, but you still need to work to secure funds and prepare for a possible eviction process.



Is your eviction notice for a health & safety violation, and not because of non-payment?

If so, you must be given a 30 day notice with a right to cure. That means you have 30 days to fix the health & safety issue.

IF EVICTION GOES TO COURT



A court hearing typically takes place one to four weeks after the initial Eviction Complaint is filed.

It is important for you to show up to court. Do not leave it up to the court to decide whether you should be responsible for rent remaining on the lease, or if you should be charged for additional repairs. If those costs are brought up, you can insist that the landlord should be able to find renters for the remaining months on the lease, and that, by law, you cannot be charged for ordinary wear and tear on a rental unit.



You do not have to do this alone. Have a friend or family member as a support person to call or text with before and after your hearing. Your legal aid attorney will also support you in court.”

Going to court can be intimidating, but when you don't show up it's a guarantee that you won't get what you need.



Dress in a way that makes you feel good and confident. It's not about them, it's about you. Write down what you want to say on a notecard before you go in. Make sure that you are physically and mentally prepared for the day. Eat a healthy meal before, and make sure you get a good night's sleep so your mind is sharp and you feel your best.



The hearing will be short and you will get a decision from a magistrate.

If you're unable to beat the eviction you will typically have a week to ten days to vacate your house.

LOCAL RESOURCES



Community Legal Aid

50 South Main Street, Suite 800
Akron, OH 44308

(330) 535-4191

Mon. - Fri. : 9 am – 5pm

(800) 998-9454 (toll free)
Mon., Wed. : 9 am – 12 pm
Tues., Thurs. : 1 pm – 4 pm



Legal Aid Society of Cleveland

1223 West Sixth Street
Cleveland, OH 44113

(216) 687-1900
(888) 817-3777 (toll free)

Mon., Wed., Fri. : 9 am – 4 pm
Tues., Thurs. : 9 am – 2 pm

United Way Help Center

Call 2-1-1
24 hours, toll free



This guide was produced as part of the Informed Communities: Evictions project, a partnership between WKSU, Spectrum News1 Ohio, and the Cleveland Plain Dealer. Informed Communities: Evictions was funded through a grant from the Cleveland Foundation, Akron Community Foundation, Knight Foundation, and The Center for Community Solutions.