

Your Rights as a Tenant During COVID-19 Outbreak

(Current as of 5/11/2020)

Your landlord must take you to court to evict you:

- Your landlord cannot evict you without a court order, no matter what your lease says.
- You do not have to move out just because the landlord tells you to leave, gives you a “5 Day Pay or Quit” or other written notice, or files an eviction lawsuit (“unlawful detainer”) against you.

Court closures:

- Courts will start hearing cases again on May 18, 2020.
- If your landlord has filed an eviction case against you, check with the court to find out when it will be heard. You can also look up your case and find the court’s phone number by visiting <http://www.courts.state.va.us/courts/gd.html>.

It is illegal for your landlord to shut off utilities or lock you out without a court order:

- If the landlord locks you out or cuts off heat, water, gas, or electricity *without a court order*, you can call your local sheriff or police for help.
- You can also sue your landlord (called “unlawful exclusion”) to get back into your home and get utilities turned back on.

Limits on Late Fees for Late Rent Payments:

- Starting April 22, your landlord cannot charge you a late fee that is more than 10% of the monthly rent amount OR the amount of past due rent you owe, whichever amount is less.
- The landlord can ONLY collect late fees if your lease says that you must pay a late fee when your rent is late.

60 Day Continuances of Eviction Cases:

- Starting April 22, if you are served with notice of an eviction lawsuit (called a “summons for unlawful detainer”) you can ask the judge to postpone (continue) your case for up to **60** days.
- You **MUST** go to court on your first hearing date (which you will find on the summons) in order to ask for this continuance.
- During your 60-day continuance, you should try to work out a payment plan with your landlord.

If you are facing eviction, if your landlord attempts to lock you out without taking you to court, or if you have questions about your rights, contact your local legal aid by calling Legal Services of Northern Virginia at 703-778-6800 or apply online at www.lsnv.org. You can also get legal advice from the Eviction Legal Helpline by calling 1-833-NoEvict. Visit VaLegalAid.org for more information.