

# Can I be evicted during Covid-19?

Did your landlord file an eviction case **PRIOR TO March 27, 2020**?

Yes

There is an argument that you should not be evicted, but courts have begun hearing cases and you may be at risk of a judgment. Contact LAJC.

No

Did your landlord **notify** you of their intention to evict you?

No

It is illegal to be evicted without a notice from the sheriff and a court order.

Yes

Do you live in subsidized housing?

No

Does your landlord have a federally-backed mortgage?

You may still be entitled to protection. Contact LAJC.

No/  
Unsure

Yes

Yes

Is the reason for eviction related to unpaid rent and/or fees?

No

There is a strong argument that you are covered by the CARES Act eviction freeze because your landlord cannot issue any notices before July 25, 2020. Contact LAJC.

Yes

**YOU CANNOT BE EVICTED**

Your landlord cannot charge you late fees or begin an eviction case against you for unpaid rent **until July 25, 2020**. After that, your landlord must give you **written notice at least 30 days** before filing an eviction case in court. If you go to court, on the **return date**, you can ask for a **60 day extension**

For more information, contact the Legal Aid Justice Center at:

434-977-0553; justice4all.org

For free legal help call 1-866-LEGL-AID or call the Eviction Legal Helpline at 1-833-NOEVICT

# What kind of housing is covered by the eviction freeze?

## Private, federally-backed mortgages

- HUD (including FHA) mortgage
- USDA mortgage
- VA (Veteran Affairs) mortgage
- Fannie Mae or Freddie Mac mortgage

## Subsidized housing

- Section 8 and Rural Development” Housing vouchers
- Section 8 project-based housing
- HUD-subsidized senior housing and other HUD subsidized housing
- USDA-subsidized housing
- Tax Credit or LIHTC housing

To determine what kind of mortgage your landlord has or if your property is covered, you can:

- 1) Ask your landlord
- 2) Call 1-800-2FANNIE (1-800-232-6643) OR use the Fannie Mae web-based look up tool to search for your property  
<https://www.knowyouroptions.com/rentersresourcefinder>
- 3) Call 1-800-FREDDIE (1-800-373-3343) Or use the Freddie Mac web-based look up tool to search for your property  
<https://myhome.freddie.mac.com/renting/lookup.html>
- 4) Download and search the HUD tool from  
[https://www.hud.gov/program\\_offices/housing/comp/rpts/mfh/mf\\_f47](https://www.hud.gov/program_offices/housing/comp/rpts/mfh/mf_f47)
- 5) Call Legal Aid Justice Center at 434-977-0553

## Important Information

- **August 25, 2020 is the earliest your landlord can file an eviction for non-payment** if they have mortgages with, or subsidized by, the federal government. Your landlord must send a **30-day notice** on or after **July 25, 2020**, wait those 30 days, and THEN file an eviction in court. Even for reasons other than nonpayment, you may have more rights to stay in your home.
- In Virginia, an emergency law protects tenants impacted by COVID-19. If you are served with an eviction lawsuit or “summons for unlawful detainer,” **you can ask the judge to postpone for 60 days**. You must go to your first hearing, written on the summons, and bring written proof that you lost your income during COVID-19.
- If you receive something from your landlord or the Court, **call the Legal Aid Justice Center at 434-977-0553** for advice.
- If you live in public or subsidized housing, and your income changes (because you lose your job or have a reduction in hours), call your housing provider **RIGHT AWAY** to ask for a rent decrease.
- It is illegal for your landlord to evict you without a court order and sheriff’s notice. If your landlord attempts to force you out by cutting off electricity, heat, or water or by changing the locks, you can call the police for help or you can file a Tenant’s Petition for Relief from Unlawful Exclusion with the court.