

TENANT RIGHTS TO AVOID EVICTION – as of 8/27/21

Virginia Eviction Protections:

- Until 7/1/22, all residential landlords must provide 14-day nonpayment notices to tenants who don't pay rent by the due date
- Until 7/1/22, landlords with more than 4 rentals must offer payment plans to tenants late on rent
- Tenants may apply for Rent Relief Program (RRP) at <https://www.dhcd.virginia.gov/rmrp>

- or - at 703-962-1884

and may email rrp@dhcd.virginia.gov with questions, problems & status updates.

Rosemary Martinez is Bilingual Housing Navigator for the Fredericksburg area. She is there to assist eligible tenants and landlords with completing their applications as well as with obtaining updates for applications that have already been filed.

To schedule an appointment with Ms. Martinez, please contact her at:

E-mail: rmartinez@legallaidworks.org

Phone: (540) 371-1105 Ext. 128

Basic Eligibility Requirements:

- Household income at or below 80% Area Median Income
- Rent amount at or below 150% Fair Market Rent
- Loss of income related directly or indirectly to COVID-19, or increase in expenses related directly or indirectly to COVID-19

Required documentation:

1. Rental Agreement (valid lease or alternative lease documentation)
2. Tenant/Landlord Ledger
3. Tenant Income Documentation
4. Landlord's Virginia W-9
5. RRP Landlord/Tenant Agreement

Rental Assistance Paid:

- Paid directly to landlord if landlord cooperates (at this stage, only landlords paid directly)
- Rent arrears paid back to April 1, 2020, plus current rent and up to 3 months' future rent for a maximum of 18 months (same payments may be made on behalf of Voucher tenants)

Eviction: A landlord may not evict a tenant without following court eviction process. The landlord first sends a written notice and next the landlord files an unlawful detainer (eviction) lawsuit. The landlord must get a court order of possession, followed by a Writ of Eviction.

60-day postponement: Through 9/28/21, tenants in eviction lawsuits for nonpayment of rent can get case postponed for 60 days by coming to court with written proof of reduced income.

Redemption (Pay & Stay): After an eviction lawsuit for nonpayment of rent, tenants have the right to pay to a zero balance on or before the court date and have the lawsuit dismissed. After that, tenants have the right to pay to a zero balance up to 48 hours before a Sheriff's eviction and have the eviction cancelled.

If the landlord has 5 or more rentals, tenants may use these rights at any time. Otherwise, tenants may use these rights only once in a 12-month period.

This is general legal information, not legal advice about a specific case. If you have questions or want advice about your individual case, please contact Legal Aid Works® at (540) 371-1105 or call VPLC's Eviction Legal Helpline for advice at (833)-NoEvict [(833) 663-8428].