

EVICCTIONS

Unfortunately, there is a great deal of uncertainty right now, especially when it comes to the issue of evictions. No longer a relatively straightforward process, handling evictions amidst the COVID-19 pandemic is proving to be complicated and challenging –both from a practical standpoint and an ethical one as well.

With courts postponing hearings, delaying scheduling of new hearings or outright declaring moratoriums on evictions, there are a lot of changes to navigate. Additionally, many landlords feel concerned about the prospect of evicting tenants during this time; none of us want to evict someone in the middle of a pandemic.

However, at the same time for many landlords lack the resources or the wherewithal to keep a non-paying tenant in place for months to come.

When it comes to unpaid rent, finding a solution is a balancing act that involves close communication with all parties, and carefully assessing each situation in line with the legislation that's currently in place.

At Renters Warehouse, we're continually gathering resources and information daily to share with residents in order to help provide some clarity and help when it comes to paying their rent. It's a good idea for landlords with websites to create a portal to provide up-to-date information or to send regular updates to residents via email.

Resources for You and Your Tenants:

Residents who are struggling to pay rent should be instructed to research and utilize resources available through local, state, and federal levels for financial assistance during the COVID-19 pandemic. Available options include expanded unemployment benefits to small cash grants from resources in their industry.

Renters Warehouse has compiled a number of resources as we can to share with our residents and owners, available here: [National COVID-19: Our Commitment to Keeping You Informed](#).

We will continue to add to this list as new updates come through.

While many states have issued a moratorium on evictions, this does not forgive any rent owed. States and the federal government, along with landlords are all working hard to accommodate renters' needs during the COVID-19 pandemic, but residents must be proactively making arrangements as well.

Without alternative arrangements, residents remain responsible for all rent, just as property owners remain responsible for their mortgage payments.

EXAMPLE EVICTION PROCEDURES

To show you what our steps for evictions look like in this current climate, here's a look at our guidelines that are in place for evictions. You will want to create your own process that breaks down how you will be handling evictions that were filed for unpaid March rent, as well as unpaid rent for April and beyond.

Eviction filed for unpaid March rent (or earlier):

If an eviction has already been filed and received by the court, it is in line for a hearing as soon as the courts are scheduling again. However, every jurisdiction is different when it comes to scheduling delays and even closures. Several of our trusted eviction attorneys are encouraging the courts to make arrangements for telephonic hearings to reduce the backlog and keep the system moving. We will continue to keep our owners with pending evictions updated of all developments and will be in touch with them as soon as we receive notification that the court proceedings are back up and running again.

Given the likely delay in court scheduling for filed evictions, owners who are interested in pursuing a payment plan or alternative solution with a delinquent resident are advised to contact us. We understand that this may not always be the best course of action in all circumstances, but we are happy to work with all owners to find a solution.

No eviction filed for unpaid March rent:

Some states have an explicit moratorium on evictions for non-payment of rent or have fully shut down the ability to e-file altogether. For Renters Warehouse, these states include WA, TX, KS, AL, and GA –but things are changing quickly and this list is subject to change.

In other states, evictions may be able to be filed, even if the courts are closed or hearings aren't being scheduled. Starting the proceedings early means that the process will be able to move forward when the courts are scheduling hearings again. Some landlords right now are postponing evictions, given the current situation that many tenants are finding themselves in, due to no fault of their own.

For owners who would prefer to delay an eviction, or who own a rental that is in a state with a declared moratorium, or for those who are federally-backed and thus covered by the CARES Act moratorium on evictions, Renters Warehouse can assist with attempting to coordinate a payment plan. We can arrange this with the resident so that any rent that can be paid is collected during these delayed court times.

Future evictions for unpaid April rent and beyond:

As noted above, many Americans have the potential for disrupted or lost income outside of their own control.

For owners with a resident who does not pay April rent, Renters Warehouse will continue our normal processes of rent collection efforts, followed by moving forward with filing an eviction action wherever and whenever possible, if so directed by the owner.

If we hear from a resident regarding an inability to pay rent, we will engage a team member to reach out to the owner to inquire about the possibility of a payment plan or alternative solution.

In all of our communications with residents, in no uncertain terms, Renters Warehouse will make clear that full and complete rent is expected as always unless alternative arrangements have been made and entered into by all parties.

If a payment plan agreement is reached, no rent is forgiven. The failure to pay pursuant to the payment plan remains grounds for moving forward with an eviction (once an eviction can be pursued).