



LEGAL AID
OF THE
BLUEGRASS

COVID-19: EVICTION INFORMATION AND FAQ'S

I have just lost my job and fear I cannot make my rent payment.

- Many Kentuckians are facing very difficult financial circumstances due to a loss of income to their households. The list below may answer some common questions that families have when faced with the loss of income and financial stress related to being able to pay their rent payments when they are renting a home.

How can I cope with the loss of income to my household?

- In order to cope with the loss of income, families may seek to increase income, obtain assistance that frees up the income coming into the household for necessary expenses, and manage and prioritize spending. To assist with these goals you can:
 - Seek Temporary Employment in currently busy sectors of the economy (truck driving and delivery, grocery stores, online retailers)
 - Seek assistance through government programs such as:
 - Unemployment Insurance (<https://kcc.ky.gov/Pages/default.aspx>)
 - SNAP benefits (<https://chfs.ky.gov/agencies/dcbs/dfs/nab/Pages/snap.aspx>)
 - Medicaid benefits (<https://benefind.ky.gov/>)
 - Call those companies that provide you regular monthly bills (landlords or mortgage companies, utility companies, credit card companies, medical treatment providers, etc.) and ask that your payments be deferred for one to three months, if necessary.
 - Call your student loan company to request that your payment be suspended for up to two months.
 - Create an Emergency Budget that:
 - Eliminates Unnecessary Expenses (cancelling any monthly subscriptions you can live without, prepare meals in home, etc.),
 - Converts any Savings for Long Term Goals (vacation, large purchases) into Emergency Funds; and
 - Prioritizes Payments for necessary expenses (shelter, transportation (if required to work), food, health care).

My landlord has issued me a notice to vacate or filed an eviction case against me, but I haven't had my hearing yet. What happens now?

- You will not have your eviction hearing prior to July 1, 2020, as courts will not be hearing eviction cases until at least that date, unless you are notified otherwise (https://kycourts.gov/courts/supreme/Rules_Procedures/202028.pdf). If an eviction order was previously entered against you, the sheriff will not restore possession of your home to your landlord until such time as the State of Emergency ordered by the Governor of Kentucky on March 6, 2020 is lifted (https://governor.ky.gov/attachments/20200325_Executive-Order_2020-257_Healthy-at-Home.pdf).

When will my hearing be rescheduled to?

- You will need to call the District Court Clerk in the county in which you live to see when your hearing will be set.

So with evictions being suspended to some date in the future, should I continue to pay rent?

- **Absolutely, yes.** You need to continue to make full and regular rent payments despite eviction hearings being postponed to a future date. You may only make a partial payment, or make a lower payment than your regular monthly payment if you come to an agreement with your landlord, in writing, signed by you both, that you have may pay a lower amount and make up your deficiency pursuant to a written repayment plan.

I live in public housing or have a Section 8 Housing Choice Voucher. Can I be evicted if I can't pay my rent?

- No. Under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), passed on March 27, 2020, landlords may not evict tenants of public housing or tenants who receive Section 8 benefits for non-payment of rent for a period of 120 days from March 27, 2020. These landlords are also not permitted to charge any fees or penalties for late payment of rent. Please note that you are still required to pay rent. Nothing in the CARES Act or the Governor's Executive Order forgive anyone's obligation to pay rent.
- If you live in housing where the rent you pay is based on your income, such as public housing or Section 8 housing, you should report any changes in income as soon as you can. Check the website for your public housing authority as many have changed their reporting procedures due to the Coronavirus outbreak.

I lost my job and I can't pay my rent. Should I contact my landlord about this?

- Yes. You should contact your landlord as soon as your household experiences a loss of income that will make it difficult for you to pay your monthly rent. If you are unable to pay your rent, it is important to maintain open lines of communication with your landlord.

Is there a letter I can use to contact my landlord to tell them about my situation and see if they will work with me?

- Yes. You can use this example letter.
<https://lablaw.org/sites/default/files/COVID%20Landlord%20Letter%20and%20Supplement.pdf>

My landlord told me that it was all right that I pay late and that he or she would work with me. I'm all set, right?

- No. Coming to a verbal agreement will often not be sufficient for you to remain in your home. It is best that any agreement which allows you to make a temporarily lower payment or sets a repayment plan for past due rent be in writing, and that it be signed and dated by both you and your landlord. An oral agreement does not generally allow you to deviate from the written terms of your lease.

My landlord has locked me out of my home or turned off my utilities. Is this legal? What can I do?

- It is illegal for your landlord to turn off your utilities or lock you out of your apartment to try to make you move. If you live in Anderson, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Campbell, Carroll, Carter, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Jessamine, Kenton, Lewis, Mason, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owen, Pendleton, Robertson, Rowan, Scott or Woodford Counties, please call Legal Aid of the Bluegrass at (859) 431-8200 to see if you qualify for assistance.

What if my landlord is taking discriminatory action against me due to my race or ethnicity?

- Residents in any part of Kentucky can contact the Kentucky Human Rights Commission at (800) 292-5566, the Lexington Fair Housing Council at (859) 971-8067, or the Legal Aid organization that serves their county of residence.

What if I need a repair done during this time?

- Notify your landlord about requests for necessary repairs as soon as possible. Any obligation that your landlord may have to repair your home according to your lease or the law is not suspended during this time.

IF THIS DID NOT FULLY ANSWER YOUR QUESTIONS. PLEASE CONTACT US BY CALLING 859-431-8200 DURING OUR LIVE HOURS MONDAY-FRIDAY 10AM-3:30PM OR VISIT www.lablaw.org/apply-here ANYTIME.