

KNOW YOUR RIGHTS

Stay in your home during the coronavirus crisis

Evictions

If you rent a house, mobile home, or apartment and cannot pay your rent, you might have a right to stay in your home during the coronavirus crisis. **Special court rules are now in place that allow you to stay in your home even if you cannot afford rent.** These rules are temporary. When the rules change, you might be required to move out of your home with short notice. There are different rules in place for landlords with federally backed mortgages. They cannot evict tenants from now until July 25, 2020 for non-payment of rent or other fees and cannot charge fees or penalties for failure to pay rent.

If your landlord tries to evict you:

- You might have to go to the court or your hearing might happen by phone. The court will send you instructions.
- Find out if your landlord has a federally backed mortgage. If so, the landlord cannot evict you for not paying rent or other fees between now to July 25, 2020. You can ask about this in court.
- If your landlord doesn't have a federally backed mortgage, the court can still stop the eviction, but you must give proof that you cannot afford to pay rent. Types of proof:

Your own statement explaining why you are unable to pay rent:

Examples: “

I was laid off from my job. I couldn't afford rent this month” or “I can't work right now because I have a medical condition that makes me high-risk for getting the coronavirus.”

Documents that prove you're unable to pay rent:

For example, paychecks that show how your work hours have been cut and how your pay has been reduced.

- If you submit documents, call the court before your hearing to find out how to get them to the judge.
- If you are unable to get documents to the judge before your hearing or need more time to look for a lawyer, you can call and ask the court to reschedule your hearing to a later date.

A witness can testify that you cannot pay your rent:

For example, your boss or co-worker could testify that you're no longer working or your hours have been cut.

- Call the courthouse before your hearing for guidance on witness testimony.



What happens after your hearing?

- If the judge rules to evict you because you did not pay your rent, the court will enter a judgment against you indicating how much you owe your landlord. You will not be required to move out of your home immediately. You can stay in your home for as long as the court keeps its special rules on evictions during the coronavirus crisis.
- If you are staying in your home, you should make regular rent payments if you are able.
- If the judge rules against you, you have a right to appeal. You have 15 days after your hearing to send a notice of appeal with the district court. Filing an appeal will automatically delay your eviction.

If you need help paying rent:

- Families with children that have low income might be able to receive cash assistance through the NM Human Services Department. Apply for cash assistance here: www.yes.state.nm.us
- Families living in Albuquerque might be able to receive city funded rental assistance. Find more information here: <https://www.cabq.gov/help/rental-assistance>