

## Are you confused about eviction?

- As a tenant (renter), are you concerned about losing your lease because you are behind on rent?
- As a landlord, are you unsure about whether you can evict a tenant?

The specific actions taken by tenants and landlords during the eviction process can be critical in determining the outcome: waiting periods must be observed, the appropriate forms and fees must be submitted, and both tenants and landlords must follow the court's rules and procedures throughout the eviction process.

Failure to meet specific requirements can mean the difference between winning and losing a case. We can help you understand the process.

**Generally, there are five key phases in the eviction process.**

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### Overview of the Formal Legal Eviction Process\*

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\* The legal process of eviction varies greatly by location; this exhibit provides an overview of the key stages of the process.

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1. **NOTICE:** Initiation of eviction—Local law specifies the number of days a tenant can be late on rent before a landlord can serve notice of intent to file for eviction. The amount of time a landlord must wait between serving notice of intent to file for eviction and filing an eviction in court will vary depending on the cause(s) for eviction and as determined by local law.
2. **FILING:** Eviction filed in court —After giving the tenant notice of intent to file and the specified amount of time passes, the landlord files the eviction with the court. For renters, stopping the process at or before filing occurs may prevent both short and long-term consequences.
3. **HEARING:** Court process—Once a landlord files an eviction case, the tenant will receive a summons to appear in court for a hearing where they can defend themselves. The amount of time a tenant has to appear in court after receiving a summons is specified by local law.

4. **JUDGMENT:** At the hearing —The judge makes a ruling. If a tenant does not attend the hearing, a default judgment may be granted in favor of the landlord.
5. **EVICTIION:** After the hearing—If the judge rules in favor of the landlord, the tenant has an amount of time specified by local law to vacate all possessions from the rental property.

**Our library staff can help you with your eviction questions. Contact us:**

**We can also connect you with other agencies to help with your situation.**