



Tenants' Rights

COVID-19/Coronavirus Legal Updates FAQ

As of March 30, 2020

Who is protected from eviction and late fees during the COVID-19 Crisis?

Evictions are suspended statewide in Louisiana until at least April 13, 2020. This date may be extended. You still legally owe rent for this period of time. Your landlord can still give you a Notice to Vacate (an eviction notice). However, if you don't move, your landlord cannot force you to leave because they cannot file a court petition to evict right now. ***But see below...***

Under the federal stimulus law signed on March 27, 2020, there is a 120-day ban (until July 25th) on evictions **for nonpayment**, and the charging of late fees, for certain tenants:

- Tenants who have a Section 8 voucher
- Tenants who have a US Dept. of Agricultural Rural Development voucher
- Tenants who live in a HUD-subsidized property like Section 8 or public housing
- Tenants who live in a Low Income Housing Tax Credit ("LIHTC" or "tax credit") property
- Tenants whose landlords have a mortgage backed by the federal government (like an FHA or other HUD mortgage, a VA mortgage, or a U.S. Dept. of Agriculture mortgage), or a mortgage owned by Fannie Mae / Freddie Mac

For these tenants, landlords cannot give you a notice to vacate for nonpayment until after the 120 days. After that they must give you a 30-day notice. If you receive an eviction notice before July 25th and you live in a covered property, you have a right to fight the eviction. Contact the Southeast Louisiana Legal Services COVID-19 Hotline at 1-844-244-7871.

How do I know if my landlord is covered by the 120-day ban?

If you live in government-subsidized housing, "affordable housing," or housing where your rent changes based on your income, or if you have a Section 8 voucher, you are likely covered. It is harder to find out if your landlord has a federally-backed mortgage, but about 70% of single-family mortgages have federal involvement. You can try to look up whether your landlord has a mortgage in the public records (free in Orleans at <http://www.oreanscivilclerk.com/onlinerecords.html>). However, whether their loan is covered by the below programs may not be recorded. Your landlord may be able to tell you, and, if not, they can look up whether they have a Fannie/Freddie backed loan on the Fannie/Freddie websites.

You can try to call these numbers yourself to find out about the loan (let them know you are a tenant and that you want to know if your landlord's mortgage is covered by their government program):
1-800-2FANNIE (1-800-232-6643) and 1-800-FREDDIE (1-800-373-3343).

Can the Housing Authority terminate my Section 8 or public housing assistance?

The following Housing Authorities have said they are suspending Section 8 and public housing terminations during the COVID-19 crisis: Housing Authority of New Orleans, Housing Authority of Jefferson Parish (does not cover Kenner), St. Bernard Parish Dep't of Housing, and St. Charles Parish Housing Authority. If a delayed hearing, inspection, or contract signing is causing you serious hardship or homelessness, call the Southeast Louisiana Legal Services COVID-19 Hotline at 1-844-244-7871.

What if I can't afford my rent because I lost income due to the COVID-19 Crisis?

You should pay your rent on time, or try to work out a payment plan with your landlord. Try to get any payment plan in writing. If your rental agreement says you will be charged fees for paying rent late, the landlord might charge you those fees if you do not pay on time. Even though your landlord cannot evict you now, if you don't make arrangements to pay the rent and fees your landlord could evict you when courts reopen.

Under the federal stimulus law ("CARES" Act) signed on March 27, 2020, many taxpayers will receive a check for around \$1,200, plus \$500 per minor child, in the coming weeks.

If you live in the City of New Orleans, you rent from a private landlord, and you do not have a housing subsidy: You might qualify for rental assistance. Call the City of N.O. Office of Community Development at 504-658-4200.

If you lost income and live in Section 8, public, or other subsidized housing where your rent is based on your income: Report any income loss right away. If the office is closed, try to email, text, or mail notice to your caseworker or landlord. Keep a copy of any notice you sent for your records. Give notice even if you do not yet have all the documents they might need. Your rent should be reduced the first day of the month after you report a loss of income. Even if they are not able process your rent reduction now, timely reporting will affect the amount you owe later once they do process the change. If your landlord or the Housing Authority fails or refuses to reduce your rent, talk to an attorney. You can apply for free legal help by calling the Southeast Louisiana Legal Services COVID-19 Hotline at 1-844-244-7871.

It is very important that if you start getting new income, like unemployment benefits, that you report it and keep a record of reporting it.

What if my landlord locks me out, cuts off my utilities, physically removes my possessions, or threatens to call the police to make me leave?

It is illegal for your landlord to lock you out, throw your belongings out, or cut off your utilities without going through the court eviction process. Your landlord **must** get a court order to evict you. If your landlord is trying to physically remove you or your belongings from your home, you can call the police if you feel comfortable. The police should tell your landlord to stop. If your landlord tries to evict you without a court judgment, or to force you out by doing other things, seek the advice of an attorney immediately. You can apply for legal help by calling the Southeast Louisiana Legal Services COVID-19 Hotline at 1-844-244-7871.

What do I do if I receive an eviction notice from a court or a Justice of the Peace while evictions are suspended?

If this happens, to you, seek the advice of an attorney immediately. You can apply for free legal help by calling the Southeast Louisiana Legal Services COVID-19 Hotline at 1-844-244-7871.



Southeast Louisiana Legal Services is a nonprofit law firm whose mission is to achieve justice for low-income people in Louisiana by enforcing and defending their legal rights through civil legal aid, advocacy, and community education. We provide free legal help to low-income people in a variety of civil legal matters including divorce, custody, tax, consumer, foreclosure, bankruptcy, unemployment benefits, housing, public benefits, and more. You can find more information at slls.org.

