

# Eviction

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The eviction process is something to avoid whenever possible, but it's important to understand what your landlord can and cannot do while you take steps to resolve the matter. It is important to know your rights, if there is a written lease what it provides, and the laws that apply.

- Step 1 - Know your rights.** Even if your landlord has begun eviction proceedings, they're still bound by laws meant to protect [tenants' rights](#). Your landlord doesn't have the right to shut off power or water to your unit to get you out or change the locks and move out your possessions as a way of forcing your eviction.
  
- Step 2 - Receive a Notice to Quit/Notice to Vacate.** Before a landlord can begin a formal eviction process, they need to present you with a Notice to Quit or a Notice to Vacate, giving you a certain number of days to fix the problem or simply leave the home before the formal eviction process begins. State laws can vary. If the matter ends up in court, it will be important that the parties followed the law, the lease, and have evidence if needed.
  
- Step 3 - Address the issue.** If you've been presented with a Notice to Quit for overdue rent payments, you have the option to make good on those payments to avoid the formal eviction process. It is important not to ignore the problem and to understand your rights, options, and deadlines. Having access to an attorney who can assist with landlord-tenant matters can be important.
  
- Step 4 - Try to work with your landlord.** The key to avoiding or resolving conflicts with your landlord may be good communication, including your willingness to make payments or repairs as necessary to protect your rights and avoid formal eviction proceedings in court.
  
- Step 5 - Read the eviction notice.** Ensure that the eviction notice is proper and that the reasons for the eviction is a condition laid out in your lease. Having access to an attorney can help protect your rights and seek a possible resolution

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**Step 6 - Eviction process.** If you face a formal eviction lawsuit, you may still be able to settle the matter but must be prepared to appear and mount a defense. Having access to an attorney may be difficult when you are having trouble paying your rent, but it can provide peace of mind, allow you to have an advocate to seek resolution or defend the matter. Having a judgment against you can cause additional issues with your credit, in seeking other housing, and even garnishment.

**Step 7 - Gather documents and other evidence for your case.** Have a copy of your lease, any notices or other documents, as well as any other communications between you and your landlord (emails, texts, notes on phone calls) plus any other records, photos, and receipts that will bolster your position. Any witnesses who may need to testify should also be present.

Be prepared for the outcome. You need to be prepared to move out with your belongings if needed. Ignoring the situation can make it worse and leave you in a more difficult situation. Knowing your rights, options, and the law is not just for landlords. Tenants who have access to an attorney can get the help they need during a difficult time.

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