



# FAITH IN TEXAS

*The Power of Faithful People*

## EVICTION ORDINANCE FAQ

### What does the Eviction Ordinance do?

The Eviction Ordinance gives residential tenants who are financially impacted by COVID-19 60 days to address their unpaid rent. Landlords must issue a COVID Notice of Possible Eviction that informs tenants of options to seek rental assistance, and provide additional time for the negotiation of lease payment agreements prior to starting an eviction. After receiving a Notice of Possible Eviction, tenants must respond within 21 days if they are experiencing financial hardship due to COVID-19.

If a tenant has experienced a financial hardship due to the COVID disaster and submits a COVID-19 Hardship Notice to their landlord, the eviction process is delayed for 60 days from the date of the Notice of Possible Eviction. The ordinance encourages negotiation between the landlord and tenant to create a lease payment plan, modification or other option to help a tenant pay their rent.

The ordinance **does not** excuse the tenant from paying their rent.

### When is the ordinance in effect?

The Eviction ordinance goes into effect on April 22, 2020, and will terminate at the end of either Texas' or Dallas' state of emergency - whichever ends later.

### Who is not protected by this ordinance?

Commercial tenants are not protected by the ordinance. For residential tenants, the requirement to send a COVID Notice of Possible Eviction only applies when a person is being evicted for nonpayment of rent. It does not apply to a case where a landlord initiates eviction proceedings against a tenant, members of the tenant's household, or guests who:

1. Breach the terms of the lease other than due to nonpayment of rent or fees;
2. Pose an imminent threat or physical harm to any person, including children and elders within the same household as well as the landlord's employees or management representatives; or
3. Engage in any criminal activity including abatable crime and squatting, and the reason is stated in the notice to vacate as the grounds for the eviction.

### What should I do if I get a Notice of Possible Eviction?

If you receive a Proposed Notice of Eviction, you can give your landlord a COVID-19 Hardship Notice in the form of an email, text, letter, or any other form of written communication, describing any loss of

income or increase in expenses, and a statement that the loss of income or increase in expenses is due to financial impacts related to COVID-19.

**Documenting your Hardship Notice:** It is important to have more than your word against your landlord's that you responded within the 21 day period. A response from the landlord would be proof, but if the landlord fails to respond, you can...

- Send your hardship notice by priority mail, certified mail, or some other trackable form of delivery
- Record video of the delivery and receipt of the notice
- At the very least, have a reliable witness that your landlord received the notice

**Evidence of Financial Impact:** Provide as much evidence as you are able with your hardship notice. Any written statement describing your financial hardship should be grounds to receive the 60 day grace period, but more evidence will protect you in the case your landlord refuses to accept your notice.

Supporting evidence of hardship could include:

- Pay stubs showing a loss of pay
- Receipts or bank statements showing a loss of income or increases in expenses
- Texts, emails, or other communications showing a reduction in hours, income, or employment
- Statements or notices from employers demonstrating a loss of employment
- Sworn statements from co-workers describing a loss of employment
- Any other verifiable evidence showing your income decreased or your spending increased due to COVID-19

Unfortunately, this ordinance does not protect people who are not impacted by COVID-19. If you cannot describe any reduction in income or increase in expenses due to COVID-19, your landlord can legally file an eviction 21 days after they issued a Notice of Proposed Eviction.

## What do I do if my landlord violates the ordinance?

The landlord can be fined \$500 for violating the ordinance. You can report the landlord to City Code Compliance by calling 311. If your landlord files an eviction without following the ordinance, it could also be grounds to have the eviction dismissed in court.

## Where can I go for more help?

[Faith in Texas' COVID-19 Resources Page](#)

[Texas Tenants' Union: \(214\) 823-2733](#)

[North Texas Fair Housing Center: 469-941-0375](#)

[City of Dallas Resident's Resource Guide](#)