

Evictions from Hotels: What You Need to Know

I live in a hotel. Can the hotel evict me without taking me to court?

More than 90 days. If the hotel or boarding room has been your primary residence for more than 90 days or you have a written lease for at least 90 days, you have legal protections against eviction just like a tenant in an apartment or house.

- It is illegal for a hotel to evict you without getting a court order and involving the sheriff's office.
- If the eviction is for nonpayment of rent, the hotel must give you a written 14-day notice before filing in court. The notice must tell you how much you owe and give you 14 days to pay or the hotel will end the lease/reservation. Until the COVID-19 state of emergency ends, the notice must also give you information on how to apply for rent relief funds.
- After the 14 days are up, the hotel must file an "unlawful detainer" case in court to ask for a court order to evict you.

90 days or less. If you have lived there for 90 days or less and do not have a lease of at least 90 days, you do not have the same legal protections against eviction.

- A landlord can evict you without taking you to court.
- If the room or suite has been your primary residence, the landlord must give you a written 5-day notice of nonpayment before evicting you.
- If it is not your primary residence, the landlord can evict you without notice.

If the hotel evicts me illegally, what can I do?

Sue the hotel in court. If you qualify for legal protections against eviction (90+ days tenant) but the hotel tries to put you out without going to court, you sue the hotel and ask the court for an order to let you back in.

- You can file with the local General District Court asking for an emergency hearing to get you back into the unit. This is called a "Petition for Relief from Unlawful Exclusion." Because it is an emergency, the court should hear the case within five days of when you file (beginning July 1, 2021).

If you are facing eviction, the hotel attempts to lock you out without taking you to court, or if you have questions about your rights, contact your local legal aid by calling 1-866-LEGL-AID or get legal advice from the Eviction Legal Helpline by calling 1-833-NoEvict.