

Extension of State Eviction Protections (Updated 8/27/2021)

State Eviction Protections extended to June 30, 2022:

Starting August 10, 2021, landlords can't evict tenants for unpaid rent without first following these steps:

1. Your landlord must give you a written notice letting you know how much you owe. The notice must:
 - a. Give you 14 days to pay rent owed; and
 - b. Have information about the [Virginia Rent Relief Program \(RRP\)](#) and how to reach [2-1-1 Virginia](#) for other rental assistance programs.
2. Your landlord has to apply for RRP on your behalf within 14 days of sending you the notice. Your landlord should be able to get you RRP assistance faster than you can on your own. If you tell your landlord you are applying for the RRP yourself, they are not required to apply for you.
3. Your landlord has to wait 45 days for the rental assistance application to get approved. The landlord can move forward with the eviction if rent relief is denied for the one of the following reasons:
 - a. You refused to apply for the RRP and refused to cooperate with your landlord in applying for the RRP;
 - b. The RRP application is not approved by the agency within 45 days after it was submitted; or
 - c. The application was denied because you are ineligible for rent relief.
 - d. Your landlord does not have to apply for RRP if the program runs out of money.

Landlords who own 5 or more rental units must take an extra step before evicting you for non-payment:

The landlord must offer you a payment plan without late fees. The landlord cannot evict you unless you refuse to enter into the payment plan or miss a payment. But the landlord only has to enter you into a payment plan one time per lease period. You can enter the payment plan AND apply for rent relief. This option is available until June 30, 2022.

60-Day Continuance of Eviction Case:

If you have lost income at any point during the pandemic and are being sued for unpaid rent, you may have the right to a 60-day continuance of your eviction case.

This will not make your case go away. It gives you more time to catch up on rent or find new housing. This option is available until September 28, 2021.

What do I need to do to get the 60-day delay?

1. Show up to your first court date.
2. Bring written proof that you lost income between March 12, 2020 and June 30, 2021. (For example, paystubs showing lower income, a letter from your employer, paperwork from your unemployment benefits application, bank statements showing lower deposits, etc. If you do not have access to those documents, the court may accept an affidavit, a sample of which can be found [here](#).)
3. Ask the judge for a 60-day “continuance.” Be prepared to answer questions about how the loss of income is due to COVID, like if your hours were cut because the employer lost business or you had to stay home to watch children home from school, etc.

Rental assistance is available for tenants behind on rent.

To see if you are eligible and to apply online, visit dhcd.virginia.gov/eligibility

To apply over the phone, call 703-962-1884.

Need assistance applying? Legal aid can help! Call the Eviction Legal Helpline at 833-NoEvict or your local legal aid office at 866-534-5243.

For free information and legal advice from an attorney about your case, call the Eviction Legal Helpline (833-NoEvict) or your local legal aid office (866-LEGLAID).

For more information, visit housing.vplc.org.