



Avoiding Eviction in Monroe County

Catholic Family Center's step-by-step guide to protecting your right to housing*

Tenant's Rights

- RIGHT TO HOUSING -

You have a legally protected right to remain in your home until the date on a court ordered Marshal Eviction.

- NO ILLEGAL EVICTIONS -

You should call **9-1-1** to request assistance if you are locked out, your utilities are shut off by your landlord or your belongings are removed before the date on a court ordered Marshal Eviction.

Tenant's Responsibilities

- PAYING RENT ON TIME -

You are responsible for taking every step you can, as early as you can, to gather the resources to pay your rent on time.

- FOLLOW TERMS OF LEASE -

You are responsible for following the terms on your lease in good faith, including upkeep, noise, and prohibited activities.

Learn more: www.emergencyrentROC.org

Landlord's Rights

- RIGHT TO RENT -

Your landlord has a right to receive rent each month as agreed in a lease, and to collect back rent owed.

- RIGHT TO EVICT -

Your landlord has a right to request a court-ordered eviction of tenants for non-payment or violating a lease agreement, or after the end of a lease.

Landlord's Responsibilities

- MAINTAIN SAFE HOUSING -

Your landlord has a responsibility to provide safe, well maintained housing.

- OBEY HOUSING LAW -

Your landlord has a responsibility to follow all housing laws in good faith, and honor court ordered stays & arrangements.

Step 1:	Step 2:	Step 3:	Step 4:	Step 5:	Step 6:
Behind on Rent or Struggling to Pay	You receive "Pay or quit Notice" (14 Days)	Eviction is Filed and you have a Court date	Your Day In Court	Court gives "Marshalls Notice" (14 Days)	Day of Court Ordered Eviction

**for information only, for legal advice, please contact the legal assistance agencies on the back of this form*

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Step 1:	<p>What it means: If you get behind, your landlord may charge late fees or give a "Pay Or Quit Notice"</p> <p>What you can do: Keep doing these steps throughout the process.</p> <ul style="list-style-type: none"> Plan – Make a budget and figure out how much you can pay, and when. Gather resources – Apply for benefits, Seek employment, check on tax return & stimulus check. Negotiate – Talk to your landlord, explain your plan, ask for time to pay what you owe. Reach out – Don't go it alone! Contact a trusted friend, family member, or professional for emotional support. <p>Who can help:</p> <ul style="list-style-type: none"> Budgeting & Negotiation: Financial Empowerment Center (585) 252-7110 or rochesterfec.org Housing Questions and Advice: Housing Council - (585) 546-3700 or thehousingcouncil.org Food/utilities help SNAP/HEAP: Visit ny.gov/services/apply-snap or Call 1-800-342-3009 Temporary Income Assistance: Call the Department of Human Services (DHS) at 585-753-6960 Integrated intake at 2-1-1/Lifeline – Call 2-1-1 to be screened & referred to a program providing eviction prevention financial assistance.
Behind on Rent or Struggling to Pay	
Step 2:	
<p>You Receive "Pay or quit Notice" (14 Days)</p> <p><small>*DHS Income Limits: 1 person 2126/month 2 person 2873/month 3 person 3620/month 4 person 4366/month + ~746/month for each extra person</small></p>	<p>What it means: 14 days after the notice, your landlord can file eviction and get a court date.</p> <p>What you can do:</p> <ul style="list-style-type: none"> Apply for Financial Assistance - To qualify for most one-time financial assistance, you must prove that you can afford your on-going monthly rent after you get assistance. Use Integrated intake by calling 2-1-1 to apply. <p>Who can Help:</p> <ul style="list-style-type: none"> Department of Human Services – Unless your income is too high* apply for Emergency Assistance (585) 753-6960.
Step 3:	
Eviction is Filed, Court date is set.	<p>What it Means: Your Landlord has set a day in court to ask the court to evict you for non-payment.</p> <p>What you can do:</p> <ul style="list-style-type: none"> Plan, Negotiate, Gather Resources, Apply for Financial assistance Prepare for court by seeking legal assistance Talk with a lawyer & Deliver a CDC Moratorium Declaration to your landlord to request legal protections until 12/31/20 <p>Who can help: Get Legal assistance to prepare for court or answer other legal questions.</p> <ul style="list-style-type: none"> Integrated intake at www.TenantDefense.org - Go online or call (585) 504-6195
Step 4:	
On the day of court	<p>What It Means: You will have access to an attorney who will negotiate so that you and your Landlord may work out a settlement. If appropriate, your attorney will work with you to develop defenses. If no settlement can be reached a judge will make a decision about your case, including if and when your landlord can evict you.</p> <p>What you can do:</p> <ul style="list-style-type: none"> Ask the court if there is an attorney available to represent you. Be prepared to present your case and prove it with documentation. <p>Who can Help: There may be attorneys in court but be sure to seek help <i>before your court date</i>.</p>
Step 5:	
You receive "Marshal's Notice" (14 Days)	<p>What it means: If, after a trial, the judge rules in your landlord's favor, they will grant a warrant of eviction which allows your landlord to have a Marshal serve you a 14-day notice of eviction.</p> <p>What you can do:</p> <ul style="list-style-type: none"> Apply for financial assistance for back rent or a security deposit for more affordable housing. Start looking for other affordable housing. <p>Who can help:</p> <ul style="list-style-type: none"> Contact 2-1-1 for help with problem solving and finding 2-1-1 resources for Financial assistance, Housing Search, Emergency food, and other resources you may need.
Step 6:	
Day of court ordered Eviction	<p>What it means: In almost all cases, if you pay the amount the judge ordered (plus any new rent that came due) the Eviction will stop and you may stay in your home. Otherwise, You can no longer stay and an officer will ensure that you leave the property.</p> <p>What you can do:</p> <ul style="list-style-type: none"> Pack your belongings to prepare & protect them Contact your support network for help with temporary housing & storage. <p>Who Can help:</p> <ul style="list-style-type: none"> If needed Contact DHS for emergency shelter - Call 585-753-6044 or 585-442-1742 After Hours