



LEGAL AID
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BLUEGRASS

COVID-19: EVICTION INFORMATION AND FAQ'S

I fear I cannot make my rent payment or have fallen behind on my rent payment. What can I do?

- Many Kentuckians are facing very difficult financial circumstances due to a loss of income to their households. The list below may answer some common questions that families have when faced with the loss of income and financial stress related to being able to pay their rent payments when they are renting a home.

How can I cope with the loss of income to my household?

- In order to cope with the loss of income, families may seek to increase income, obtain assistance that frees up the income coming into the household for necessary expenses, and manage and prioritize spending. To assist with these goals you can:
 - Seek Temporary Employment in currently busy sectors of the economy (truck driving and delivery, grocery stores, online retailers)
 - Seek assistance through government programs such as:
 - Unemployment Insurance (<https://kcc.ky.gov/Pages/default.aspx>)
 - SNAP benefits (<https://chfs.ky.gov/agencies/dcbs/dfs/nab/Pages/snap.aspx>)
 - Medicaid benefits (<https://benefind.ky.gov/>)
 - Call those companies that provide you regular monthly bills (landlords or mortgage companies, utility companies, credit card companies, medical treatment providers, etc.) and ask that your payments be deferred for one to three months, if necessary.
 - Call your student loan company to request that your payment be suspended for up to two months.
 - Create an Emergency Budget that:
 - Eliminates Unnecessary Expenses (cancelling any monthly subscriptions you can live without, prepare meals in home, etc.),
 - Converts any Savings for Long Term Goals (vacation, large purchases) into Emergency Funds; and
 - Prioritizes Payments for necessary expenses (shelter, transportation (if required to work), food, health care).

Can my landlord evict me because I can't afford to pay rent?

- Yes. The Centers for Disease Control and Prevention (CDC) Eviction Moratorium was invalidated by the Supreme Court of the United States on August 26, 2021.



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The eviction moratorium is no longer in effect and my landlord is trying to evict me. What should I do?

- Make sure you go to Court. In Amended Order 2021-28, the Kentucky Supreme Court has provided that in cases in which your landlord is evicting you for non-payment of rent, after the first eviction hearing, the eviction proceeding should be postponed for 14 days. . To determine if you qualify for these funds, please visit <https://teamkyhherf.ky.gov/> and complete an application.

I have heard that there are funds available for rental assistance. Are those funds still available?

- Yes, but you need to apply for them. If you live in the Lexington-Fayette County area go to <https://www.lexingtonky.gov/renthelp> or call (859) 280-8424 to apply for rent assistance. If you live elsewhere in Kentucky, go to <https://teamkyhherf.ky.gov/> or call 833-597-3687 to apply for rent assistance.

How much of my rent can be paid through rental assistance?

- Rental assistance funds can pay up twelve months of back rent and three months of future rent.

When should I apply for rental assistance?

- As soon as you know that you will not be able to pay your rent. The sooner you apply for assistance, the more likely you are to be able to remain in your home.

Can I get financial assistance if I need to relocate?

- Maybe. If you live in the Lexington-Fayette County area go to <https://www.lexingtonky.gov/renthelp> or call (859) 280-8424 to apply for relocation assistance. If you live elsewhere in Kentucky, go to <https://teamkyhherf.ky.gov/> or call 833-597-3687 to apply for relocation assistance.

Can my landlord issue me a notice to vacate and move forward with an eviction action against me if the reason to landlord is evicting me is for something *other than* failing to pay rent?

- Yes. If your landlord is issuing you a notice to vacate or seeking to evict you for some other material breach other than non-payment of rent (such as violation of a pet policy or property damage), or your landlord is seeking to terminate a month to month tenancy, he or she may issue you a notice to vacate and move forward with an eviction action against you.

Is there a letter I can use to contact my landlord to tell them about my situation and see if they will work with me?

- Yes. You can use this example letter:
<https://lablaw.org/sites/default/files/COVID%20Landlord%20Letter%20and%20Supplement.pdf>

My landlord told me that it was okay that I pay late and that he or she would work with me. I'm all set, right?

- No. Coming to a verbal agreement will often not be sufficient for you to remain in your home. It is best that any agreement which allows you to make a temporarily lower payment or sets a repayment plan for past due rent be in writing, and that it be signed and dated by both you and your landlord. An oral agreement does not generally allow you to deviate from the written terms of your lease.

My landlord has locked me out of my home or turned off my utilities. Is this legal? What can I do?

- It is illegal for your landlord to turn off your utilities or lock you out of your apartment to try to make you move. If you live in Anderson, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Campbell, Carroll, Carter, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Jessamine, Kenton, Lewis, Mason, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owen, Pendleton, Robertson, Rowan, Scott or Woodford Counties, please call Legal Aid of the Bluegrass at (859) 431-8200 to see if you qualify for assistance.

What if my landlord is taking discriminatory action against me due to my race or ethnicity?

- Residents in any part of Kentucky can contact the Kentucky Human Rights Commission at (800) 292-5566, the Lexington Fair Housing Council at (859) 971-8067, or the Legal Aid organization that serves their county of residence.

What if I need a repair done during this time?

- Notify your landlord about requests for necessary repairs as soon as possible. Any obligation that your landlord may have to repair your home according to your lease or the law is not suspended during this time.

IF THIS DID NOT FULLY ANSWER YOUR QUESTIONS. PLEASE CONTACT US BY CALLING 859-431-8200 DURING OUR LIVE HOURS MONDAY-FRIDAY 10AM-3:30PM OR VISIT www.lablaw.org/apply-here ANYTIME.