

## What to bring to court

You should bring any and all documents and evidence you might have about your case. This may include, but is not limited to:

- ✓ A copy of your lease
- ✓ The notice of hearing you received in the mail
- ✓ Evidence of rent payment (receipts, Venmo records, etc.)
- ✓ Information on the status of your BCCAP (aka COVID rental assistance) application
- ✓ Emails or texts between you and your landlord supporting your story
- ✓ Photos of the condition of your rental property

## If the Judge decides in favor of your landlord

Your landlord will have to wait **4 days after the ruling** and then file for a warrant of restitution in order to legally evict you.



The eviction process may take 2-6 weeks from your day in court.

**A sheriff's deputy must be present at a legal eviction --** otherwise, it is not legal. The landlord cannot just change the locks or put you out.

**If you have a certified doctor's note** stating that it would be dangerous to leave because of a medical condition, you may be able to file for a stay (i.e. delay).

**You may also file an appeal within 4 days after the ruling in a Failure to pay rent case.** If you appeal, you will be required to post bond (an amount of money decided by the judge).

**If you are sued for Tenant Holding Over, however, you must vacate immediately,** but you still have a 4-day appeal period.

If you receive a judgment for failure to pay rent and have not already received five such judgments in the last 12 months, **you have the "Right to Redeem" (aka "Pay and Stay") at any time before the eviction occurs.** That means that, right up until the sheriff shows up, if you can pay all charges, including past rent due, late fees, and court costs and fees, you have a right to stay in your rental property. You may pay with a certified check or money order.

# If your landlord is trying to evict you, you have rights!

**IN ORDER TO EVICT YOU, YOUR LANDLORD MUST HAVE A JUDGMENT FROM A COURT**

THIS MEANS YOUR LANDLORD NEEDS A COURT JUDGMENT TO EVICT YOU EVEN IF:

- ✓ YOU'RE BEHIND ON YOUR RENT
- ✓ YOU'VE STAYED LONGER THAN YOUR LEASE
- ✓ YOUR LANDLORD SAYS YOU BROKE THE TERMS OF YOUR LEASE
- ✓ THEY SENT YOU NOTICE THAT THEY ARE GOING TO EVICT YOU

**NO COURT "ORDER FOR WARRANT OF RESTITUTION"?  
NO EVICTION!**

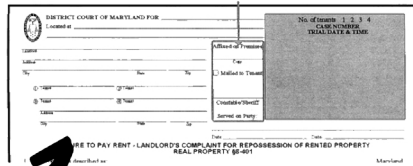


## What can you do?

You may be able to negotiate payment of rent with your landlord before they file for eviction. Only communicate in writing. Talk to a lawyer as soon as possible. See next page for lawyers you can call.

## How do you know if your landlord is trying to get a court judgment?

If your landlord decides to file a complaint, you should receive a hearing notice that looks like this at the top



One copy will be sent to you by mail and another will be posted on your door or mailbox. The trial date and time will be on the upper right hand corner of the form. The hearing may be as soon as 5 days after your landlord files. **If your landlord files for Breach of Lease, they must give you advance notice that you have breached the lease and give you time to fix it.**

## Go to Court

Rent court is at 501 East Fayette St., Baltimore, MD 21218.

**If you go to court, you might win. If you do not go, you will lose by default. You have a right to defend yourself in court by presenting evidence, introducing witnesses and telling your side of the story.**

You can also **request a continuance (aka a delay or postponement)** from the court to gather evidence or witnesses.

**Show up at least 15 minutes before your hearing time** to allow plenty of time to check in. If you show up earlier, you may also be able to get help from a lawyer.

## Talk to a lawyer

Most landlords have lawyers or rental agents to represent them in Rent Court. **They do not represent your interests, no matter how nice they may seem.**

Instead, there are lawyers who work only with tenants that you can call. They offer pro bono (free) legal advice and may be able to represent you. Here are a few places you can try calling **before your court date:**

### Public Justice Center (410) 625-9409 | [bit.ly/pjcmd](http://bit.ly/pjcmd)

PJC is a legal non-profit organization with an office on the 2nd floor of the District Court where rent court is staffed with legal professionals who assist tenants.

### MD Legal Aid Bureau (410) 951-7777 | [bit.ly/md\\_lab](http://bit.ly/md_lab)

The MD Legal Aid Bureau provides representation to tenants in rent court and brief advice for tenants who need help filling out forms or who wish to self-represent in court. Especially helpful for Section 8.

### Disability Rights MD (410) 727-6352 | [bit.ly/dr\\_md](http://bit.ly/dr_md)

Disability Rights MD may represent Maryland residents who have a disability and a legal issue. They may be able to provide representation in disability-related eviction proceedings and advocate for the fair housing rights of people with disabilities.

### Pro Bono Resource Center (443) 703-3053 | [bit.ly/pbrc\\_md](http://bit.ly/pbrc_md)

PBRC provides free client services for income-qualifying tenants who have been sued by their landlord in Baltimore City or Baltimore County.

## Defenses Against Eviction

You may have defenses against your landlord that you can bring up in court.

Here are some examples of defenses:



**"I paid the rent my landlord says I owe."**

If you paid your rent or your landlord gave you permission to pay a lower rent, you can bring proof to court showing you have paid.



**"I'm not paying rent because the conditions in the apartment are so bad."**

If your apartment has damages or problems that affect your life, health, or safety, and you have notified your landlord but they have not fixed the issues, you may be able to raise an escrow defense. Some common issues include **fire hazards, lack of heat, no hot water, no running water, no electricity & rodents.**



**"I applied for COVID rent assistance but my landlord won't take it."**

Many landlords in Baltimore City are not supposed to deny a dwelling (aka rental property) because of a person's source of income -- even if that income is government assistance like COVID rent assistance.



**"My landlord isn't even licensed!"**

If your Baltimore City landlord is not licensed with the Department of Housing and Community Development, you can bring proof of this to stop a failure to pay rent action.

