

# For Your Information

## How Evictions Happen

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Since the start of the pandemic, the Centers for Disease Control and Prevention (CDC) have implemented an [eviction moratorium](#) meaning landlords are not able to evict tenants as a way to help stop the spread of the disease. The moratorium is part of the CARES Act providing economic assistance to families and businesses impacted by COVID-19.

The moratorium was last extended on June 25 and is due to expire July 31, 2021. This means, unless the moratorium is extended again, tenants may face eviction as of Aug. 1 if they have not paid their rent. If you find yourself facing eviction, there are a few things you should know and do:

- Landlords may be able to evict tenants if they have not paid their rent or have violated terms of their lease.
- Landlords must take the tenants to court before they can evict. In order to do this, the landlord files a lawsuit.
- Tenants would receive notification a lawsuit has been filed. Tenants may be served notification in person by a law official or it may be taped to the residential door if the official cannot reach an adult in person.
- Once notice has been served, the tenant must respond to it before the deadline stated in the letter. The deadline is usually seven days.
- Tenant and landlord may be able to reach an agreement out of court. If not, a court date will be set.
- Legally, tenants are still able to live in the home during the eviction process. The landlord cannot prohibit this without a court order.
- Once in court, the tenant will have an opportunity to explain to a judge why rent has not been paid. If the judge does not find in the tenant's favor, the landlord will be able to evict the tenant within a certain number of days.

If you have not done so, sign the attached [declaration](#) and turn it in to your landlord to protect yourself until the moratorium expires. If you are facing eviction, there are legal services in Georgia that can help you, including [Atlanta Volunteer Lawyers Foundation](#) and [Georgia Legal Aid](#).

### Resources for this article:

[Georgia Legal Aid: How to Answer an Eviction Warrant](#)

[Atlanta Beltline Partnership, attorneys give crash-course on eviction prevention](#)