

For Your Information

How Evictions Happen

By Lauri Strauss
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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 expired on July 31, 2021. This means, 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 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](#)