

Eviction Information for Tenants

An eviction action is a legal action where a landlord files a written complaint with the court asking that the tenant be evicted (permanently removed) from the rental property. If the tenant does not agree with the complaint, believes he or she should not be evicted, or needs more time to move out, then the tenant must appear in court.

Learn more in the [Eviction Law Fact Sheet »](#)


IF YOU DO NOT COME TO COURT:

- You may lose the case;
- Judgment may be entered against you ordering that you be evicted from your home, the judge can order you to move immediately;
- If you don't move, the sheriff can move you and your family out and can place all of your belongings into storage.
- You could have an eviction action on your rental history for ten years; possibly making it more difficult for you to rent in the future.

YOU HAVE A RIGHT TO:

- Come to court and tell your side of the case;
- Prove to the court that your landlord does not have the right to evict you;
- Ask the court to allow up to seven (7) days to move. Tell the court why you need extra time; reasons include circumstances regarding young children, disabled or elderly family members. The court allows more than seven (7) days to move **only** if your landlord agrees to it;

Get legal advice and other help at the *Housing Court Project*.

Interpreter services – If you need an interpreter in court, please call the Housing Court at (612)348-6000  right away so that an interpreter can be scheduled.

WHEN YOU ARE BEING EVICTED FOR NOT PAYING RENT:

- Bring the rent money to court with the court fees listed on the complaint. Bring your money in the form of cash or certified check;

- If you do not have the money, you may be eligible for financial help. Call **Hennepin County Economic Assistance** at (612) 596-1300[☎] or **United Way 211** at (612) 335-5000[☎] to learn about rent assistance;
- If you have not paid your rent and your apartment is not in reasonable repair, you must bring the rent to court and tell the court about the repairs needed.

YOU MAY HAVE OTHER DEFENSES TO THE EVICTION ACTION, SUCH AS:

- Court papers were not properly served;
- You did not violate your rental agreement;
- Landlord did not give you proper notice to move;
- Landlord is retaliating (getting even);
- Apartment is not in reasonable repair;
- Landlord is discriminating against you because of race, sex, marital status, religion, national origin, disability, affectional preference or qualification for public assistance or welfare.

HOW TO GET READY FOR COURT:

- Read both the Summons and Complaint carefully to find the hearing date, time and location, as well as the reason the landlord wants to evict you from your residence;
- Write down a response to the complaint. Decide what to tell the court about your case;
- If you have young children, please arrange for someone else to care for them while you are in court; you may be in court for several hours;
- Arrive to court on time. If you are late, the hearing may start without you and you could be ordered to move out of your home.

WHAT TO BRING TO COURT:

- Your court papers;
- Rent that you owe in the form of cash or cashier's check;
- Receipt or canceled check to prove payment;
- Your lease and other papers that you signed to rent your place;
- Your notice to move;
- Witnesses, pictures, inspection orders and other documents, that support your case;
- Your written response to the reason your landlord wants to evict you.

THE COURTROOM PROCESS:

- All cases are heard by a referee in Housing Court located on the 3rd floor of the C Tower in the Hennepin County Government Center.
- Volunteer mediators are available to help you and your landlord settle your case at the time of your court hearing. Tell the courtroom clerk at check-in if you want a mediator.
- If you are out of the courtroom or late when your case is called, you may lose your case. The landlord may get a 24-hour eviction notice from the court.
- If you wrote a response (Answer) to your landlord's complaint, file the Answer, with the filing fee, at the front counter of Housing Court. Give a copy of the Answer to your landlord before the hearing starts.
- If you need more time to move, tell the court your reason. Acceptable reasons include circumstances regarding young children, elderly or disabled family members;
- If you want a jury trial, you may have to pay a jury **fee**.

Learn more in the booklet **How to Prepare for Trial in Housing Court »**