

MISSOURI TENANTS' RIGHTS during COVID-19

COVID-19 Updates –April 21, 2020

During this health crisis, there are more state and federal protections from eviction for tenants.

WHAT TENANT'S NEED TO KNOW:

- Your landlord cannot legally lock you out or use self-help eviction
- Due to the health crisis, courts are closed through May 1 (as of right now)
- Through the federal emergency CARES Act, you may have additional rights

What is a lawful eviction?

A landlord can only lawfully evict a tenant by:

1. Filing an eviction lawsuit, AND
2. Getting a court eviction order, AND
3. Requesting the sheriff execute the eviction

“Self-Help” Evictions are Always Illegal

- A lockout or any "self-help" eviction without a court order is **illegal**.
- This includes when your landlord does the following:
 - Changes the locks on your home without giving you the new keys, OR
 - Disconnects your utilities, OR
 - Removes your belongings from your home without your permission

Call the police immediately if your landlord attempts to illegally evict you.

Call Legal Services of Eastern Missouri at 314.534.4200 for help.

Missouri Courts are Closed

- The Missouri Supreme Court suspended all in-person court eviction proceedings through May 15, 2020. **This applies to all Missouri courts.**
- If a landlord files an eviction lawsuit while the courts are closed, a court date will not be scheduled until after May 15, 2020.

What about ongoing eviction lawsuits?

- Check online at www.courts.mo.gov/casenet for your court date.
 - Depending on when the courts reopen, your scheduled court date may change again
 - The Missouri Supreme Court's statewide order and links to all circuit court orders are at www.courts.mo.gov/pandemic.
 - Check the City and County court websites at <https://wp.stlcourtscourts.com/> and <http://www.stlcitycircuitcourt.com/>.

NEED HELP? Apply online at www.lsem.org or call 314.534.4200 / 800.444.0514

**More COVID-19 information & resources available at :
[www.lsem.org /covid-19-updates](http://www.lsem.org/covid-19-updates) or follow us on facebook**

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What if a court eviction order has already been issued against you?

- **St. Louis City and St. Louis County Sheriffs will not be performing any evictions until further notice.**
- In other Missouri counties, if a court eviction order was issued against you before the court closures, you will need to check with your county's sheriff's department to see if evictions are being performed.
- If sheriffs are still performing evictions in your county, the sheriff will post a notice on the front door with the date of the court-ordered sheriff's eviction.

The Federal CARES Act and who it protects

The Coronavirus Aid, Relief, and Economic Security Act, or CARES Act, is a federal bill that Congress passed on March 27, 2020. The CARES Act **protects tenants in federally-supported housing** from new lawsuits filed by landlords **about nonpayment of rent.**

Federally Supported Housing is defined as:

- Public housing
- HUD housing
- Low-income housing
- Section 8 voucher holders
- LIHTC properties
- USDA voucher holders
- Others

What does the CARES Act do?

- It creates a 120-day federal eviction moratorium (as of March 27, 2020.)
- That means until late July 2020, landlords cannot:
 - Give tenants notices to vacate due to nonpayment of rent.
 - File eviction lawsuits.
 - Issue late fees.
- Landlords must give an additional 30 days' notice to vacate after the moratorium ends

What the CARES Act does **NOT** do:

It does not affect lawsuits which were filed before the moratorium law took effect on March 27, 2020 which involves non-federally supported housing, **OR** if the eviction is based on another reason besides nonpayment of rent or nonpayment of other fees or charges.

What if I can't pay my rent?

- Tell your landlord about your loss of income and inability to pay rent.
- Ask your landlord to work out a payment plan or agreement to pay later.

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- Get any agreement with your landlord in writing, dated and signed (can be by text or email).
- For any payments you do make, **ALWAYS** get signed and dated rent receipts from your landlord.
- Ask your landlord to waive late fees.
- You may qualify for other resources, such as SNAP (food stamps), unemployment benefits, or utility assistance.

Even if you are not protected by the CARES Act, you are still protected by the Missouri Supreme Court's order to close all courts through May 15, 2020.

Information for subsidized housing tenants.

- If your income has changed, notify your landlord or the housing authority in writing or confirm by email.
- If you have a Section 8 voucher, you can still contact your caseworker by phone or email (offices are closed).
- For housing authority updates:
 - <https://www.slha.org/coronavirusupdates/> St. Louis City
 - <https://www.haslc.com> St. Louis County
- Keep a copy of ALL records in a safe place

Lease terminations unrelated to rent

- Your landlord may still give you a lease termination or notice to vacate for reasons *other than* nonpayment of rent.
- If this happens, your landlord must go through the court process to enforce the eviction.
- **Such a court process cannot happen before May 15.**
- **AND your landlord cannot legally force you out. Lockouts and other self-help evictions are illegal.**

Fair Housing Rights

- There are Fair Housing laws that protect you on the basis of:
 - Race and Color
 - National Origin
 - Familial Status
 - Disability
 - Sex
 - Religion
 - Source of Income (St. Louis City only)

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For more information:

- Metropolitan St. Louis Equal Housing and Opportunity Council (EHOC) - 314.534.5800
- Missouri Commission on Human Rights – 573.751.3325
- HUD Housing Discrimination Hotline – 1.800.669.9777

If you are a tenant who needs legal help:

- **Call Legal Services of Eastern Missouri at 314.534.4200 or complete an online application at: www.lsem.org/get-help-now**
- **Other St. Louis area resources:**
 - Metropolitan St. Louis Equal Housing and Opportunity Council (EHOC): 314.534.5800
 - ArchCity Defenders: .314.361.8834
- **In other Missouri regions call:**
 - Legal Services of Western Missouri: 816.474.6750
 - Mid-Missouri Legal Services: 573.442.0116
 - Legal Services of Southern Missouri: 417.881.1397

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