

## WASHINGTON COUNTY TENANTS: KNOW YOUR RIGHTS!

This is a brief overview of your tenant rights, rent assistance, and about going to court. More detailed guides about these issues are online at [OregonRentersRights.org](https://OregonRentersRights.org) and [OregonLawHelp.org](https://OregonLawHelp.org).

### Your landlord cannot force you to move out until a court orders you to leave.

To evict you, your landlord has to follow several steps:

1. Your landlord must first give you a **valid written** termination notice;  
→ Even written notices are not always valid. Contact an attorney to check your notice. ←
2. If you stay beyond the end date of the notice, your landlord **must file an eviction case in court. You must show up to court for your first appearance hearing or you will automatically lose;**
3. Your landlord **must then win the eviction case. A judge must sign an order ordering you to leave.**

If your landlord threatens to call the police to remove you, **even though they haven't won a court case:**

- **You should tell officers that you are a tenant** and show them your rental agreement if you have one.
- **Officers should then inform the landlord that they must file and win a court case to evict you.**
- If your landlord tries to force you out without a court order, they may owe you money damages which you can demand as a counterclaim in an eviction case or in small claims court.

### Contacting an attorney

If you are a low-income tenant living in Washington County and you have received an eviction notice or had a case filed against you, contact Oregon Law Center's Hillsboro Regional Office by calling 503-640-4115. We provide free legal services to low-income people in Washington County. If you are low-income and live outside Washington County, visit [OregonLawHelp.org](https://OregonLawHelp.org) or call 211 to find your local legal aid office.

If you are not low-income, contact the Oregon State Bar Lawyer Referral Service by calling 503-684-3763.

### If you cannot pay your rent, utilities, or housing expenses you should apply for rent assistance right away!

- Visit [oerap.oregon.gov](https://oerap.oregon.gov) or call **503-615-0770** to connect with your local rental assistance agency.

### 60-day or 90-day protection from eviction for rent assistance applicants

If you are facing eviction for nonpayment of rent and you apply for rental assistance, **you may be able to pause** the eviction process for 60 or 90 days to allow time for your application to process (even after an eviction case is filed).

To qualify for the 60-day or 90-day protection from eviction you must:

1. Apply for rental assistance (see above), and
2. **Provide your landlord with proof of your application at or before the first appearance hearing.** You can take a picture or screenshot of the submitted application or provide your landlord with documentation from the rent assistance agency. Keep copies of this proof for yourself and for the court should you need to present it at trial.

**All Oregon tenants can get a 60-day pause under state law.** Tenants in **unincorporated Washington County**, the City of **Banks**, the City of **Beaverton**, the City of **Cornelius**, the City of **Forest Grove**, the City of **Hillsboro**, and the City of **Tualatin**, can get a **90-day pause under local ordinances**. Other cities within Washington County may also pass local laws to protect renters. Visit [bit.ly/3aTeFbc](https://bit.ly/3aTeFbc) to see whether a 60-day or 90-day pause applies to your address.

If you give proof that you have applied for rental assistance to your landlord before they file an eviction case, the landlord cannot file a case against you for 60 or 90 days. If you give proof after your landlord files an eviction case, you must still go to your first appearance; at your first appearance hearing, the judge will then pause the case against you for 60 or 90 days.

### **City of Tigard eviction moratorium**

Tenants in Tigard who have 1) lost substantial income due to the pandemic and 2) notify their landlords on or before the date rent is due that they are unable to pay rent may be protected from eviction by a city eviction moratorium as long as the City of Tigard's declaration of emergency is in effect. Tigard's declaration of emergency is currently in effect until December 31, 2021. Tenants have six-months after the expiration of the city's emergency to pay back rent they owe, and landlords may not charge late fees on any qualifying rent.

If you do not qualify for the Tigard eviction moratorium, you can still qualify for protection from eviction by the 60-day statewide pause.

### **What if you owe back rent to your landlord?**

For rent that was due between April 1, 2020 through June 30, 2021, tenants have a grace period until February 28, 2022 to pay back that rent. You cannot be evicted for non-payment of qualifying back rent until after February 28, 2022. Rental assistance can be applied to this back rent.

### **What if my landlord takes me to court?**

You will receive a court summons and complaint. The paperwork will have a first appearance date. **YOU MUST ATTEND THIS HEARING OR YOU WILL LOSE YOUR CASE AUTOMATICALLY.**

- First appearance is a chance to negotiate a resolution with your landlord. If your landlord offers you a deal at first appearance, you do not have to accept it; you can ask for a trial. If you ask for a trial, you must file an answer the same day as your first appearance. If you are low income, you can apply to waive the filing fee.
- Some attorneys may represent you without payment up front if they think you have a good case, because the landlord will typically have to pay your attorney's fees if you win. On the other hand, if you lose your case, you may have to pay for the landlord's attorney fees.
- **You can request a free interpreter and disability accommodations from the court.** Contact the court to make your request several days before your hearing.
- **You can request to appear by telephone for your first appearance.** Contact the court to make your request several days before your hearing.