

The Eviction Process for Nonpayment of Rent

Evications are costly and difficult for all parties involved. Yet, the eviction process is critical for resolving landlord-tenant disputes and for housing providers to legally recover possession of their property when a renter violates the lease agreement. The eviction process varies widely by jurisdiction.

CARES Act Notice

The CARES Act instituted what should have been a temporary, federal notice procedure, requiring at least 30-days' notice prior to filing for eviction for nonpayment of rent in covered housing, while states' established notice procedure is 6 days on average. It remains a contested issue in already-backlogged courts today, nearly five years after the temporary eviction moratorium expired on July 24, 2020. A legislative fix is needed to eliminate any ambiguity about the requirement's expiration.

When the Respect State Housing Laws Act eliminates this language from the CARES Act statute, tenant protections in states' landlord-tenant and eviction laws remain unaffected. Renters can continue to avail themselves of legal avenues to avoid eviction.



Based on an NAA member survey, the average cost of eviction is \$6,767, which includes legal fees, court fees, lost rental income, turnover costs and marketing costs.