

I am worried about paying my rent because I have lost income. What should I do?

If you think that you might not be able to pay your rent next month, you should notify your landlord as soon as possible to talk about your options. If you have a Section 8 Voucher or another type of rental assistance, you should contact the Housing Authority who issued your voucher, or RIHousing at (401) 457-1125 to report your change in income.

What is a moratorium?

A moratorium is a delay in an activity or an obligation. Moratoriums are usually issued by an authority such as a state agency or elected official. It does not cancel your rent. You will still owe any rent that is unpaid during the moratorium.

Is there a moratorium on evictions in Rhode Island?

Due to COVID-19, Rhode Island courts have stopped hearing all non-essential matters, including evictions, until after May 17, 2020. This functions as a moratorium on evictions because the courts will not move them forward, even if they are filed, during this period.

You cannot legally be evicted from your home until an eviction has been processed through the court system and a court order for the tenant to move out (also called an "order of execution") has been issued. You might get letters or legal papers from your landlord during this period, but the courts are not processing new eviction cases until after May 17, 2020.

Do I still have to pay rent during the moratorium?

If you are financially able to pay your rent, you should pay it.

If you are not able to pay your rent, you should let your landlord or property manager know. Document any conversations that you have with your landlord about your loss of income, making partial payments or adjusting your rent amount. If you do make any payments, keep a receipt such as a cancelled check, money order receipt or statement from your landlord.

I heard that evictions are still happening. Is that true?

There are a few steps to legal evictions. Papers have to be filed with the court, a hearing must be scheduled, and after the hearing, a judgment entered by a judge. After a judgement is entered, a court order for the tenant to move out (an "order of execution") can be issued. The court order to move someone out of their home can only be enforced by an authorized constable or sheriff. The State has instructed constables and sheriffs not to enforce move out orders at this time.

Right now, landlords can still file papers with the court, but hearings will not be scheduled until after May 17, 2020. This means evictions cannot move forward until after May 17.

Even though new eviction cases are temporarily halted, sometimes landlords try to evict people without going to court. These evictions are sometimes called "self-help evictions" and they are illegal.

Can my landlord just move me out?

Landlords cannot move you out without going to court and getting a court order.

If someone comes to move you out, make sure that they have a court order signed by a judge. Only a constable or sheriff authorized by the State of Rhode Island can move you out with a court order. Ask to see their credentials and call the police for assistance if they cannot show you proof of ID as a sheriff or constable, or if they do not have a court order. Your landlord cannot just come to your home and move you out even if they claim they got a court order. Only a constable or sheriff can move you out with a court order and they are being instructed by the State not to do that right now.

I have received an eviction notice. What should I do?

You cannot be legally evicted until after the case has been processed through the court system and received a hearing. Hearings are not being scheduled until after May 17, 2020 unless there is an emergency. If you have received a notice, check the hearing date. If the date is before May 17, you can call the court to verify whether the case has been rescheduled.

In the meantime, this still means that your landlord will want to evict you after the courts reopen. You should keep evidence of your efforts to pay rent. You should document any changes to your income at this time and track any conversations you have with your landlord about making partial payments or about losing your income. These will all be important when the courts start to handle these cases again. It is very important that you get and keep receipts for rent that you pay. Proof of payment can be a money order receipt, a canceled check or a receipt from the landlord.

I heard that the federal government declared a moratorium on evictions and foreclosures. Is that true?

The federal government passed a coronavirus relief package, called the CARES Act, at the end of March. The CARES Act provides a moratorium on evictions for tenants living in properties with a federally backed mortgage or properties that receive federal financial assistance, referred to in the law as “covered properties”. If you live in a covered property, you cannot be evicted for nonpayment of rent during the moratorium. The moratorium expires 120 days from March 27, 2020 (July 25, 2020). This protection only applies to new eviction cases for nonpayment of rent, and only in properties that have federal funding or federally-backed mortgages.

The eviction moratorium protects you from being evicted if you are unable to pay your rent during the moratorium period. It does not cancel your rent. You will still owe any rent that is unpaid during the moratorium.

How do I know if I live in a covered property?

If you live in public housing, participate in the Section 8 voucher program, or live in specially designated elderly or disabled housing, your home is likely covered under the CARES Act. If you live in an apartment where you have to meet income guidelines to live there, you can contact your property manager to find out (and if you are having trouble paying your rent, you should contact your property manager anyway). If you live in another type of housing, your landlord may be able to tell you if they have a federally-backed mortgage.

Where can I go for help with an eviction?

If your landlord is telling you to move out during this emergency, or you have other concerns about your rental apartment, you can call the RI Center for Justice: (401) 491-1101.

If you have Section 8 housing or live in public housing you can call RI Legal Services at (401) 274-2652 to get help and advice about public housing rights and responsibilities. Both RI Legal Services and the RI Center for Justice can answer general housing questions and concerns.

If you are experiencing homelessness, you can go to the nearest shelter ([map here](#)) or call (401) 277-4316.

Where can I go for more help?

Depending on what you need help with, there are lots of resources. Call Rhode Island 2-1-1 to speak to someone who will refer you to help based on your needs.