

I LIVE IN A HOTEL. CAN THE HOTEL EVICT ME WITHOUT TAKING ME TO COURT?

More than 90 days. If the hotel or boarding room has been your primary residence for more than 90 days or you have a written lease for at least 90 days, you have legal protections against eviction just like a tenant in an apartment or house.

- It is illegal for a hotel to evict you without getting a court order and involving the sheriff's office.
- If the eviction is for nonpayment of rent, the hotel must give you a written 14-day notice before filing in court. The notice must tell you how much you owe and give you 14 days to pay or the hotel will end the lease/reservation.
- After the 14 days are up, the hotel must file an "unlawful detainer" case in court to ask for a court order to evict you.
- If you pay all amounts owed within 48 hours of the Sheriff's office coming to put you out of the unit, the eviction must be cancelled.

90 days or less. If you have lived there for 90 days or less and do not have a lease of at least 90 days, you do not have the same legal protections against eviction.

- A landlord can evict you without taking you to court.
- If the room or suite has been your primary residence, the landlord must give you a written 5-day notice of nonpayment before evicting you.
- If it is not your primary residence, the landlord can evict you without notice.

If the hotel evicts me illegally, what can I do?

Sue the hotel in court. If you qualify for legal protections against eviction (90+ days tenant) but the hotel tries to put you out without going to court, you sue the hotel and ask the court for an order to let you back in.

- You can file with the local General District Court asking for an emergency hearing to get you back into the unit. This is called a "Petition for Relief from Unlawful Exclusion." Because it is an emergency, the court should hear the case within five days of when you file.

VIRGINIA RENT RELIEF PROGRAM

If you have lived in your motel/hotel room for more than 90 days, you may qualify for rental assistance through the Virginia Rent Relief Program. The Virginia Rent Relief Program (RRP) was put in place in response to the corona virus pandemic. It provides funding for rent and late fees owed starting from April 1, 2020, and is available for up to 18 months of aid. You may apply for rental assistance at

<https://www.dhcd.virginia.gov/rmrp>.

This is general legal information, not legal advice about a specific case. If you have questions or want advice about your individual case, please contact Legal Aid Works® to apply for free legal services at (540) 371-1105 or call VPLC's Eviction Legal Helpline for advice at (833)-NoEvict [(833) 663-8428].