

What if the New Owner Files an Eviction?

If you have continued to pay your rent, and the new owner files an eviction against you:

- Call the HelpLine at (800) 998-9454 to see if Legal Aid can help you.
- Go to the scheduled hearing.
- Take a copy of the letter you sent to the new owner.
- Take the green receipt requested from the post office (if you have it.)
- Make sure you state the law during the hearing (see bolded text inside the brochure.)
- Bring a copy of your lease.

What if I Have More Questions About My Rights Under the New Law?

Please contact the Legal Aid HelpLine at 1 (800) 998-9454 or the Legal Aid in your area.



Community LEGAL AID

New clients please call the Legal Aid HelpLine:

1 (800) 998-9454

Monday thru Friday • 9 am to 4 pm

Community Legal Aid Services is the primary provider of free civil legal representation to low-income and elderly residents of central northeast Ohio. Our mission is to serve the poor by securing justice, protecting rights, promoting measures for their assistance and providing quality representation.

Akron

50 South Main St, Suite 800 • Akron, Ohio 44308

Canton

306 Market Ave North, Suite 730 • Canton, Ohio 44702

Lisbon

7876-D Lincolne Place, Lisbon • Ohio 44432

Medina (by appointment only)

120 W Washington St, Suite 2-C • Medina, Ohio 44256

Ravenna

250 S Chestnut St, Suite 22 • Ravenna, Ohio 44266

Warren

160 East Market St, Suite 225 • Warren, Ohio 44481

Wooster

121 West North St, Suite 100 • Wooster, Ohio 44691

Youngstown

11 Central Square, 7th Floor • Youngstown, Ohio 44503

www.CommunityLegalAid.org

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Regional • JeC • Reviewed 6/24/2009 • Updated 7/21/2009

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Info\Housing\FORECLOSURES\To Be Reviewed

Community LEGAL AID

Seeking justice, changing lives.

Protections for Tenants in Foreclosed Properties



*Columbiana • Mahoning • Medina • Portage
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What is the Protecting Tenants in Foreclosure Act?

The Protecting Tenants at Foreclosure Act, Pub. L. No. 111-22, Sections 701-704 (2009), became law on May 20, 2009. It protects tenants from immediate eviction by persons or entities that became owners of residential property through the foreclosure process. At a minimum, tenants must receive 90 days notice prior to eviction. If you have an unexpired lease, you may be able to stay until the end of the lease.

What Can I Do if the New Owner Says I Have to Leave in Less Than 90 Days?

- Send a letter letting the new owner know about the law (see example)
 - Keep a copy of the letter
 - Pay for a return receipt to make the new owner sign for its receipt
 - If you get a green receipt signed by the owner, save it
- You must also offer to pay the new owner your rent

Does This Law Apply to My Home?

This law applies only to homes sold at foreclosure after May 20, 2009.

What if I Have a 1 year Lease That Has More Than 90 Days Left?

In most cases, the new owner cannot evict you until the end of the lease. There are 2 exceptions:

- If the new owner wants to use your home as their primary residence, the new owner only has to give you a 90-day notice to leave after they become the owner.
- If you do not pay your rent, the new owner can proceed with eviction per Ohio landlord/tenant law for non payment of rent.

What if I am a Section 8 Tenant?

You have all of the rights listed above regarding your lease and the requirement that the owner give you a 90-day notice to leave. You should also call your Section 8 caseworker and report what is happening.

You also have additional protections:

- The Section 8 Housing Assistance Payment contract continues.
- The foreclosure is not a lawful reason to terminate your lease.
- Call your Section 8 Worker.
- Call Community Legal Aid.

Sample Letter to Send to Landlords:

[Name and address of owner]

[Date]

Dear New Owner,

I am answering your notice of termination dated _____.

The Protecting Tenants at Foreclosure Act, Pub. L. No. 111-22, Sections 701-704 (2009), became law on May 20, 2009. It requires you to honor my lease. It also requires you to give at least 90 days notice to terminate my tenancy.

Your notice does not comply with this law, so I ask you to withdraw it.

Sincerely,

[Tenant Name]

What Happens if I Don't Pay the New Owner Rent?

The new owner can proceed with eviction per Ohio landlord/tenant law for non payment of rent or breach of lease.