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What Happens if You

What Happens if You Can't Pay Your Rent?

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FAQ

What happens if I can't pay my rent?

Many people get behind in their rent because of illness, loss of employment, or loss of other benefits. If you are in this situation, here are a few things you should know:

- Your landlord may choose to accept partial payments of rent, but does not have to. If you can pay at least part of your rent, get a receipt from your landlord.
- If your landlord agrees to let you make payments on your back rent, get the agreement in writing.

Can I be evicted?

Yes. If you do not pay your rent as agreed with your landlord you can be evicted. This is true even if you cannot pay because you have a good reason, like illness, family emergency, loss of job, or loss of other benefits. However, your landlord has to do certain things before you can be evicted for not paying and Florida law requires that landlords go to court in order to evict people for not paying their rent. The first thing the landlord has to do is give you a written notice telling you how much rent is owed and giving you time to pay it.

NOTE: This information applies only to rental of a house, apartment, or mobile home AND lot. If you own your mobile home and rent the lot only, different laws apply.

What can I do to avoid eviction?

If you cannot pay the rent and you have not been able to get help from family, friends, or charitable organizations the best course of action may be to have a frank conversation with your landlord. There are reasons that your landlord might want to reach an agreement with you so that you can stay in your home: it costs money for him/her to file a lawsuit to have you evicted, until the rental home is rented to another tenant s/he will not be receiving any rent, and if you

have been a good tenant who has looked after the home that is valuable to a landlord as any new tenant is an unknown risk.

If there is a good reason that you have lost income and it is only for a temporary period think about ways that you can prove this to your landlord. Can you pay part of the rent now? Do you want to offer to pay your landlord now what you can afford and suggest a payment plan that you can realistically make? Don't make an agreement that you won't be able to keep and get any agreements that you do make with your landlord in writing.

Even if you can't reach an agreement that will work for you and your landlord they may appreciate you being up front with them about your circumstances. You then may be able to come to an agreement where you can move out without the landlord filing an eviction lawsuit, giving you some extra time to move, and you can ask them to agree to not give you a bad rental reference. Eviction lawsuits are public records so if you do not have a good defense it is best to avoid having one filed against you as they can make it hard for you to rent another home. Evictions can also affect your credit and can stop you from getting valuable government housing benefits when you need them most.

What else should I do?

- There are charitable agencies in your town that may be able to help you. Your local United Way office usually has a list of all the places you can call for help. You can dial 211 for information.
- Search for affordable housing at www.floridahousingsearch.org
- Contact your local Housing Authority for information on how to apply for low-income and moderate-income housing options. These programs offer subsidized rent programs where the rent the tenant pays is based upon their income. Typically the tenant pays approximately 30-40% of their monthly income. Programs include Public Housing, Section 8 Voucher Program, and Moderate Rehabilitation. Find local contact information here: http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/pha/contacts/fl
- Search www.hud.gov to find apartments subsidized directly by the federal government through the United States Department of Housing and Urban Development. Typically, your rent will be approximately 30% of your monthly income.
- Search for apartments subsidized by the federal government through the United States Department of Agriculture here:
http://rdmfhrentals.sc.egov.usda.gov/RDMFHRentals/select_county.jsp?st=fl&state_name=Florida&st
- Investigate government housing benefits as there may be long waiting periods for qualified applicants – in some cases years – do not wait until you are in crisis.
- Check your credit. Landlords will check your credit before they will rent to you. You do not want errors on your report held against you by potential landlords. You can check your credit report once a year for free at www.annualcreditreport.com. This is the official website for getting your credit report. Other websites are not free. Find out what is on your report and how to address errors by visiting the Federal Trade Commission's website at <http://www.consumer.ftc.gov/articles/0151-disputing-errors-credit-reports>

How can I find out more about evictions?

You can read more about evictions on FloridaLawHelp.org at:
<http://floridalawhelp.org/issues/housing/eviction?>

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Links:

[What Happens if You Can't Pay Your Rent? - English](#)

[¿Que sucede si usted no puede pagar su renta? - Spanish / Español](#)

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<http://www.floridalawhelp.org/node/413/what-happens-if-you-cant-pay-your-rent>

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