



You are receiving this information because court records indicate that an eviction lawsuit may have been filed against you. Below is information to help you understand the eviction process, housing assistance options, and other available community resources.

Understanding The Eviction Process

Step 1: Notice to Vacate

- Your landlord must give you at least 3-days' Notice to Vacate, unless your lease indicates a different amount of time, before filing an eviction lawsuit.
- Receiving a Notice to Vacate **DOES NOT** mean you have to move out immediately. This Notice is not an eviction – it's only the first step.
- Note: If you live in the City of San Antonio your landlord is required to give you a Notice of Renters Rights within one (1) business day of delivering a Notice to Vacate for Non-Payment of Rent or risk a \$500 fine from the City.

Step 2: Eviction Lawsuit

- If you don't leave after you get a Notice to Vacate, your landlord may file an eviction lawsuit against you in a Justice of the Peace (J.P.) court, and a constable will serve you with an eviction citation.
- The eviction citation will state the date and time that you will need to go to court. Contact the J.P. court right away if you can't go to court on the date/time that is stated in the citation.

Step 3: Eviction Hearing

- You **MUST** arrive on time for your hearing at the correct J.P. court. You will automatically lose your case if you are not in the courtroom when your case is called. This is called a default judgment.
- At the hearing, you will be able to speak with the judge about the eviction lawsuit and any defenses you may have. On this page is a list of common defenses that might apply to you. If you have a defense, you can ask the judge to dismiss or postpone the eviction case. For more information about these defenses, contact a legal provider listed below or visit TexasLawHelp.org.
- If you lose your case, that does not mean you have to immediately leave the property. You will have at least 5 days after the hearing to determine your next steps or to file an appeal.

Appealing an Eviction: If you lose your case at the eviction hearing you have **5 calendar days** to appeal the judge's decision. If you follow the appeal process, you have a right to stay on the property until your case is heard on appeal. Appealing could allow you more time to explore community housing resources, make plans to move, or come to an agreement with your landlord.

Housing Assistance Program

The City of San Antonio's Housing Assistance Program provides rental assistance (when available) and relocation assistance to eligible individuals experiencing a hardship. The program also provides information about resources from other community organizations available at: <https://www.sa.gov/Directory/Departments/NHSD>, by phone at 3-1-1, or 210-207-5910.

Free Legal Assistance

Please contact any of the non-profit legal organizations below to see if you qualify for free legal services by applying in-person, at the listed dates/times and locations below, or by phone, at the numbers listed below.

Texas RioGrande Legal Aid (TRLA)

- TRLA Right to counsel Hotline: (210) 212-3703
- J.P. Courts, Precincts 2,3, and 4, in-person, every week on eviction docket and appeal deadline days (check your court paperwork)

St. Mary's University School of Law, Center for Legal and Social Justice

Housing Hotline: (210) 570-6135

San Antonio Legal Services Association (SALSA)

- J.P Court, Precinct 1, in-person, every Thursday 8AM-5PM

COMMON DEFENSES TO EVICTION

1. You did not receive proper notice to vacate. You may have a defense if (i) the lawsuit was filed before the deadline on the Notice to Vacate, or (ii) you did not receive the Notice to Vacate at all, or (iii) you did not get the notice by: personal delivery to someone in your home at least 16 years old, by posting INSIDE your front door, or by mail.
2. You have an ownership interest in the home. If you are even part-owner, or title to the property is in dispute, you cannot be evicted. Bring proof of ownership.
3. Your landlord refused to accept timely payments. If your eviction is for non-payment, bring proof that you tried to pay on time, but were refused. (Late payments do not qualify for this defense).
4. You have filed for Bankruptcy. Bankruptcy puts all lawsuits against you on hold, including eviction lawsuits.
5. If you are being sued for non-payment of rent and live at a CARES Act covered property, you are entitled to a 30-day Notice to Vacate.