

What you need to know as a renter.

With the end of the state Eviction Moratorium on Aug. 7, 2021 and the Aug. 26 overturn of the CDC Moratorium, what protections do tenants have?

revised Aug. 27, 2021



Landlords cannot make anyone leave a rental unit without a court order.

A landlord must have a court order to physically remove you from your unit.

Call the State Landlord-Tenant Hotline to seek information about your rights as a tenant. Please know that the eviction process and your tenant rights have recently changed.

**Landlord-Tenant Hotline: 808-586-2634,
Monday to Friday, 8 a.m. to noon**

The CDC moratorium was overturned and no longer offers tenants protection from eviction.

The CDC moratorium was overturned on Aug. 27, 2021 by the U.S. Supreme Court. New eviction protections need to come from Congress action or our State leadership.

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Landlords can start the process of issuing written notice asking tenants who have not paid all rent to leave.

Starting Aug. 7, 2021, landlords can write to tenants with unpaid rent of the intention to evict if rent is not paid. The notice must include very specific information, as well as requires the landlord to offer free mediation to the tenant. The CDC moratorium was overturned on Aug. 26 no longer offers protection. Seek Legal Assistance immediately.

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Mediation is available now, and may help you access resources.

Before filing a case to evict you after the moratorium expires, a landlord must offer FREE mediation. You can also schedule mediation at any time to try to work things out soon, as well as find out about resources that you can access. Language access is provided.

- Oahu: Mediation Center of the Pacific (808-807-0800), <https://www.mediatehawaii.org/sempp>
- Maui: Maui Mediation Services (808-344-4255)
- Kauai: Kauai Economic Opportunity (808-245-6000, or e-mail mediation@keoinc.org)
- East Hawaii: Kuikahi Mediation Center (808-935-7844, ext. 8)
- West Hawaii: West Hawaii Mediation Center (808-664-0991)

Save all documents showing your efforts to apply for rental assistance and pay rent.

The CDC moratorium, as well as the new state eviction process asks for tenants to show their efforts to apply for rental assistance. **Document and keep information to show when and how you applied**, and steps you took to get help

Landlords may still evict tenants who are violating terms of the lease.

The CDC eviction moratorium applies to evictions for non-payment of rent. A landlord is able to issue written notice and use court processes to evict a tenant who is violating terms of the lease. These may include allegations of improper use of the premise or rules violations.

If you think your landlord is creating lease violations to get around the eviction moratorium, seek legal assistance to find out what your rights may be.

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I'm helping a family who doesn't speak English well. What rights do they have?

People with Limited English Proficiency (LEP) have rights to access all state funded service and be provided with oral interpretation free of charge. You can assert your rights to interpretation by calling the office and requesting an interpreter. The office should have a processes for scheduling interpretation with LEP individuals to ensure they can assess services.

I received an eviction notice from my landlord. What should I do?

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Monday to Friday, 8 a.m. to noon.**

Contact Legal Assistance.

I am behind on rent. How do I get help?

Apply for financial assistance. Programs may be able assist both with back rent and/or for rent forward, including rent in a new unit as well a security deposit.

Oahu: Go to oneoahu.org/renthelp – **Even if the portal is closed, you may sign up to get email updates when the program will reopen.** If you do not have internet access, call 768-CITY (2489) to request language assistance.

If you previously did not qualify for assistance, **please call 2-1-1** to see what other eviction prevention assistance you may be able to receive.

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I applied for rental assistance but my landlord refused to accept the assistance. What should I do?

Contact your Assistance program. Programs may be able assist with giving you, rather than your landlord, a direct rental payment.

If you previously did not qualify for assistance, please call 2-1-1 to see what other eviction prevention assistance you may be able to receive.

**I applied for rental assistance
but I was not approved
because I could not prove it
was COVID-19 related. How do
I get rent help?**

There is some limited assistance available for those facing eviction that cannot prove it is related to COVID-19. You must have documentation to prove that you are being asked to leave. **Please call 2-1-1** to ask about eviction prevention assistance you may be able to receive.

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I tried to apply for rental assistance but the portal closed before I could submit my application. It is not open now. What should I do?

Even if the portal is closed, you may sign up to get email updates when the program will reopen by going to oneoahu.org/renthelp. If you do not have internet access, call 768-CITY (2489) to request language assistance.

There is some limited assistance available for those facing eviction that cannot prove it is related to COVID-19. You must have documentation to prove that you are being asked to leave. **Please call 2-1-1** to ask about eviction prevention assistance you may be able to receive.

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I applied for rental assistance but I have not heard anything about my application status. What should I do?

Check with the provider that is processing your application. Most providers have a system to check your status online. You can also call to ask about the status of your rental assistance application.

My landlord sent me a notice that I have 45 days to leave the unit, as I am on a month to month lease. Can they do this?

Landlords are now able to ask people to leave without giving cause, as the State eviction moratorium protections expired.

Call the State Landlord-Tenant Hotline to seek information about your rights as a tenant and what notice your landlord must give you. Please know that the eviction process and your tenant rights have recently changed.

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Contact Legal Assistance.

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If I fight my landlord in court will it appear on my record?

If your landlord files a case for Summary Possession with the court it will appear on your court record. The new law requires landlords to first give you written notice, and then also offer mediation before they file with the court. Make sure you respond to any calls or written notices first, if you want to avoid court and a record of any eviction dispute.

Can I check if my landlord has filed something with court? I think they did but I'm not sure.

Your landlord **MUST** give you written notice if they are attempting to terminate your lease for any reason. If you think that your landlord is try to skip notices, **you can look up court records as well as any court dates at eCourt*Kokua.**

https://www.courts.state.hi.us/legal_references/records/jims_system_availability

Legal Assistance and Resources

Medical Legal Partnership: KKV patients ; System resources
www.mlpchawaii.org

Hawai'i Civil Rights Commission (HCRC): **(808) 586-8636**
File a Complaint of Housing Discrimination:
labor.hawaii.gov/hcrc

Legal Aid: Intake by phone: **(808) 586-4302**
Intake online: **www.legalaidhawaii.org**

Volunteer Legal Services (VLSH): **808-528-7046;**
www.vlsh.org; M-F 8am to 4pm

Access to Justice Room: **808-538-5629** closed to in person,
MWF Volunteer attorney by phone