



VICKERY·MIDTOWN  
DALLAS·TEXAS

**SOURCE: Mark Melton, Attorney, Holland & Knight, Dallas (as of April 1, 2020)**

## **EVICTIION RULES**

Given that rent is due today April 1, and a lot of people are stressed, I thought it was a good time to re-post the information below. **If you have questions and would like to speak with a lawyer, for free, send an email to [DallasEvictions2020@gmail.com](mailto:DallasEvictions2020@gmail.com).**

The first thing that will happen in an eviction is that you will get a 3-day notice. This is the scariest part for most folks, as the notice will say that you are required to vacate within 3 days (I've seen a few that say 24 hours). You can ignore this notice. Even if your landlord changes your locks, they are required to leave you a phone number to call. And when you call, for residential leases, they are required to give you a key to get back in within 2 hours even if you don't pay delinquent rent (this rule is different for commercial tenants).

After the 3 days expire, the landlord can, under normal circumstances, file a suit for eviction. The Justice of the Peace courts have exclusive jurisdiction to hear eviction cases. On March 19th, the Texas Supreme Court issued an order prohibiting JP courts from having any trials or hearings on eviction cases for residential properties until April 19th. In addition, on March 18th, Dallas County Judge Clay Jenkins (think of him kind of like the mayor for the county) issued an order directing Dallas county JP courts to suspend eviction hearings for 60 days.

This means that in Dallas County, even if you get an eviction notice you cannot be removed from your home until May 18th, and probably a little longer as it will take some time to get hearing/trials scheduled after the moratorium on eviction cases is lifted.

The idea behind the eviction moratorium is to give you time to collect government payments or find a new job so you can catch up on late rent. As long as you're caught up before the moratorium ends, you should not be evicted.

Hopefully, federal stimulus checks will start to arrive later this month. Keep an eye on [www.irs.gov](http://www.irs.gov) for updates on what to do if you didn't file a 2018 tax return or if you have moved since you filed your 2018 tax return.

Information on how to apply for unemployment can be found here:

<https://www.twc.texas.gov/news/covid-19-resources-job-seekers>. Note that the online application system has been overloaded and running very slow. TWC has noted that it is not as busy between 10pm and 8am, so you might try applying late at night.