

For Rental Assistance:

Fulton County Emergency Rental Assistance Program

Phone: 833-716-2223

www.fultoncountyga.gov/renthelp

Landlords and Tenants may apply for rental assistance, using the website application above. Applicants may call the COVID-19 Emergency Rental Assistance Call Center at 833-716-2223 to speak to a live agent. Representatives are available Monday through Friday, 8:30 a.m. – 7:00 p.m. and Saturday, 9:00 a.m. – 12:00 p.m. to assist callers with completing their applications. Residents may also drop off their applications at the Fulton County Government Center, Information Desk, 141 Pryor Street, SW, Atlanta, GA 30303.

Hosea Helps Homeless Prevention Program

Phone: 404-755-3353

www.4hosea.org

The Utility Assistance program serves families at risk of homelessness and that have their utilities including electricity, gas, and water turned off.

The Emergency Shelter program aids those experiencing homelessness during extreme temperatures, or during severe weather storms, or those who have a chance to gain employment but need an opportunity to eat, rest and groom themselves before starting.

State of Georgia Rental Assistance Program

Phone: 833-827-7368

www.georgiarentalassistance.ga.gov

Applicants must first qualify for unemployment benefits or have experienced a reduction in household income, incurred significant costs or experienced a financial hardship linked directly or indirectly to COVID-19. Anyone applying here must show a clear and present threat of homelessness or housing instability as a result of an inability to pay for rent and utilities.

The household income requirement for applicants is below 80% of the area median income. Priority will be given to tenants and families whose household income is below 50% of the area median income or households with one or more individuals who have been unemployed for 90 days at the time of application.

City of Atlanta COVID-19 Rental Assistance Program

Text C19-ERA to 898-211

www.unitedwayatlanta.org/atlanta-covid-19-emergency-housing-assistance-program/

If you are a City of Atlanta resident, you may be eligible to receive assistance for past due rent or utility bills up to \$3,000 through the Atlanta COVID-19 Emergency Rental Assistance Program.

Eligibility: Provide proof of COVID-19 impact on finances; Live within Incorporated city limits of Atlanta; Meet household income guidelines; Provide valid ID; and Provide proof of rent and/or utility bills. Visit the website to apply for the Emergency Housing Assistance Program through various organizations and providers.

DISCLAIMER: The information in this pamphlet is not legal advice. It is intended to give a general overview of the procedures and forms used in the Magistrate Court of Fulton County. Consult an attorney with specific questions about your case.

Magistrate Court of Fulton County

Landlord-Tenant During COVID-19



Chief Magistrate Judge Cassandra Kirk

**Justice Center Tower
185 Central Avenue S.W.
Atlanta, GA 30303**

**Telephone: 404-613-9071
www.magistratefulton.org**

IG: @fultonmagistrate

Landlord-Tenant During COVID-19

The Magistrate Court of Fulton County continues to communicate with the public and court users to share the Court's processes and plans during the continuing Statewide Judicial Emergency and COVID-19 pandemic. The Magistrate Court provides remedies to address new and pending Landlord-Tenant cases.

All case types, including Landlord-Tenant cases, are being heard by Zoom video-conference, in-person, or a combination of the two. The current Zoom hearings require the consent of both parties.

Q: What is the CDC moratorium?

A. On September 4, 2020, the Centers for Disease Control and Prevention published an *Eviction Moratorium*, effective until December 31, 2020. The CDC moratorium covers only non-payment evictions filed against residential tenants. It requires that the tenant/renter present the landlord with a declaration that the tenant is not subject to eviction for nonpayment of rent because they:

- Meet the income qualification criteria — tenant received a 2020 federal stimulus, or has income less than \$99,000 single or \$198,000 joint, or did not pay taxes in 2019;

- Are unable to pay rent due to income loss or extraordinary out of pocket medical expenses;
- Would become homeless or need to "double up" if evicted;
- Will still make partial payments "using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other non-discretionary expenses;" and
- Have applied to all governmental programs for rent assistance during this health emergency.

Q. Do Landlord-Tenant cases require an affidavit?

A. It depends. Landlords must file a sworn affidavit stating they have not received a declaration from a tenant under the CDC moratorium and that they have not accepted rent after filing a dispossessory action before they will be granted a writ of possession in cases where the tenant does not file an answer.

Additionally, any cases filed March 28, 2020-August 24, 2020 required that the landlord file a CARES Act affidavit, swearing that the affected property was not covered by the protections offered in the CARES Act.

Q. What happens with back rent?

A. All rents remain due and will continue to accrue. The Court has collaborated with community partners to provide rental assistance to aid the parties reimagine eviction as the cure for rental default. As cases resume, whether in person or via Zoom, the court will award judgements based on evidence of unpaid rent and property damages. (If in need of assistance, contact the agencies mentioned in this pamphlet.)

Q. Will the Marshal's Office distribute eviction notices and perform evictions?

A. Yes. The Marshal will continue to distribute *first notices* on writs and eviction actions after judicial review and order. All writs of possession (tenant evictions) will be reviewed by judges to ensure compliance with all applicable laws, including the CDC moratorium on evictions for nonpayment of rent.

Q. Who may I contact for help?

Several community organizations and non-profits have come forward to offer assistance to parties on the Court's Landlord-Tenant calendars.

For legal assistance, contact:

Housing Court Assistance Center

Phone 404-521-0790 hcac@avlf.org

www.avlf.org/hcac

The Housing Court Assistance Center's services are free. Tenants may visit the Center in person, Monday through Wednesday, 9:00 a.m. to 12:00 p.m., to meet with an attorney. No appointment is necessary. Located in the Fulton County Magistrate Clerk's Office, 185 Central Ave NW, Atlanta 30303 – Room TG-100.

Atlanta Legal Aid Society

404-524-5811 www.atlantalegalaid.org