



Eviction Navigation Guide

Legally Valid Reasons for Eviction

- Failure to pay rent
- Violation of lease agreement
- Cause of significant damage to property
- Breaking of noise, occupancy, or health ordinances
- Causing health or safety hazards

If you are worried about being evicted, prepare by doing the following:

- Know the eviction steps
- List the rent and utilities you owe monthly and cumulative outstanding balances
- List the income you have or expect to have
- Plan how to use your income as you receive it
- Ask local community organizations for assistance
- Talk to your landlord – request a payment plan you can manage
- Promptly answer any written notices from your landlord
- Begin exploring other housing options

A landlord CANNOT do any of these actions without a court order:

- Remove tenant's belongings from property
- Remove the tenant physically
- Change locks or lock-out tenant
- Shut off essential utilities
- Harass tenant

Tenants should document any such communications or harrassments from landlord for your records.

Eviction proceedings are currently paused until July 13th. It is important to know your rights as a tenant and the proper legal proceedings for eviction.

For rent or utility assistance:
United Way Helpline – Dial 2-1-1
Gwinnett Helpline – 770-995-3339

To apply for Eviction Prevention Assistance (Eviction Step 1):
tinyurl.com/GwinnettEviction

If you are at risk for eviction from an extended-stay hotel/motel or are experiencing an episode of homelessness, request assistance here:
tinyurl.com/GwinnettCares

For free legal help:
www.atlantalegalaid.org – 678-376-4545

Eviction Steps

1. Landlord Makes Written/Verbal Demand for Possession

Lease should lay out grace periods for late rental payments before a demand is made and include notice for termination provisions. *Tenant can apply for Eviction Prevention Assistance at tinyurl.com/GwinnettEviction*

2. Landlord Files Dispossessory Affidavit with Court

Reported on Credit Record. Court will process Affidavit and require landlord to serve tenant.

3. Tenant Served Eviction Affidavit

Most common affidavit service methods are to tack a copy to the door of the property and mail a copy via certified mail. Dates on affidavit and any mailed copies must match to be valid.

4. Tenant Answers

Tenant must respond to Eviction Affidavit within 7 days of serve date. Any answer by tenant, no matter argument for non-eviction, must be accepted by the court and allow for hearing to be scheduled. Failure to respond means default judgement to landlord.

5. Court Hearing

Tenant and Landlord have right to present case to Magistrate Judge.

6. Writ of Possession

Magistrate Judge will make ruling and issue a writ of possession.

7. Appeal

Either landlord or tenant can request an appeal of ruling within 7 days of hearing conclusion.

8. Eviction

If ruled in favor of the landlord, Sheriff's Office Civil Division will oversee the landlord's removal of remaining tenant property from unit. If evicted, tenant still owes the outstanding rental amounts and all associated fees.

Gwinnett Cares About YOU

In the wake of COVID-19, many have lost their jobs, some are struggling to find food, and others are fighting to find or keep their housing. Gwinnett Cares has rallied more than 100 partner agencies who are on the ground every day ready and waiting to provide the assistance you may need. These partners include our Local Cooperative Ministries, Housing Providers, Food Pantries, Health Clinics, Public Health, County and City Governments, Faith-Based Partners, a multitude of non-profits, the Gwinnett Coalition, United Way of Greater Atlanta and the Community Foundation of Northeast Georgia. Gwinnett Cares partners are working real-time to develop coordinated strategies around food insecurity, healthcare access, homelessness, eviction prevention and community equality through multi-culturalism. All are fully committed and ready to do everything possible to help our community's most valuable asset, YOU!

Together we will get through this and our community will come out stronger in spite of it.

For a complete list of resources available, visit www.GwinnettCares.org

