

Eviction Rules You Need to Know⁸

Reasons for Evictions

- Tenants have not paid rent.
- Tenants have not moved out when the lease ended.
- Tenants have violated leasing term.
- Tenants have caused extensive and continuous damage to the home.
- Tenants have created a serious health hazard.
- Tenants have been involved in illegal drug activities.



Eviction Timeline

If a lease is violated, landlords must give tenants **at least 30 days notice** to cure (fix the problem) or quit (vacate the property). If this is not addressed, then the landlord can file a **“Summons and Eviction Complaint.”**

In case of missed rental payments or lease violations, landlords may give a **7 day or 24-hour notice**.

Make sure you answer the eviction complaint appropriately, as described on the next page, or you can potentially face eviction without a trial!

What Happens if a Landlord Files an Eviction Complaint?⁹

1 You will get a summons.

Once the court receives the complaint it will issue you a summons, or a legal document, informing you that:

- Your landlord wants to evict you, wants money, or both.
- You will be required to appear in court on a specific date and time for a hearing OR you must file an answer within five days. Most courts will provide a hearing date, however, some do not. If a hearing date is not provided, you will have to file an answer with the court to receive the date.
- As a tenant, **you have the right to a lawyer**, and if you cannot afford one, you may be able to receive free legal aid.
- **You also have the right to a jury trial**, which you would have to request in your initial response. This will require you to pay a jury demand fee of \$50, however, you can ask the court to waive it by filling out a Fee Waiver Request.

2 You will need to file an answer.

Along with the complaint, you should receive an answer form. To file an answer for a complaint, you must respond to each complaint in several written paragraphs.

For each complaint, you will have to indicate:

- You agree with the complaint.
- You disagree with the complaint.
- You are unsure if the complaint is true.

If you believe there is good reason that you should not be evicted, then you have an **eviction defense**. You must state your defense within your answer.

If you also have a legal claim against your landlord concerning the eviction, then you have a **counterclaim**. You must also state the counterclaim in your answer.

- Here is a tool you can use to navigate defenses and counterclaims in your eviction response: michiganlegalhelp.org/self-help-tools/housing/do-it-yourself-answer-eviction-complaint.
- You can file the answer in person or mail the answer to the court.
- You should also include all copies of supporting documents, such as letters, e-mails, costs for repairs, and other proof that you may have. Be sure to make and keep copies of ALL documents!