

# EVICCTIONS: FILE AN ANSWER

You want information because your landlord has filed an eviction Complaint against you and you have been served with a copy. You should attend the hearing (trial). An eviction case does not end with the eviction hearing, however.

## **TWO CLAIMS, NOT ONE**

An eviction Complaint usually contains two separate claims. In the first claim, your landlord asks the Court to evict you. Only this claim will be decided on the date of your eviction hearing. If your eviction hearing has come and gone, the first claim has been decided already. Perhaps you have been evicted. Even so, the Court is not through with you. It still has the second claim to consider.

In the second claim, your landlord asks the Court for a judgment against you for any money that you might owe him or her. The money might be for back rent, or it might be for physical damage to the place you rented. To let the Court know your side of this story, you must file a written Answer to the Complaint no later than 28 days after you were served with the Complaint.

## **FILE A WRITTEN ANSWER**

You should file a written answer. If you fail to file a written Answer within 28 days, the Court may issue a judgment against you for the amount of money your landlord is seeking, without ever hearing what you have to say.

## **INCLUDE YOUR COUNTERCLAIMS**

You should also include in your written Answer any claims that you have against your landlord. These are called "counterclaims." One way to do this is to tell the Court in the Answer why you believe your landlord owes you money, and ask the Court to award you a specific amount of money on your claims. If you do not raise your counterclaims in the Answer you will lose your right to raise them later.

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