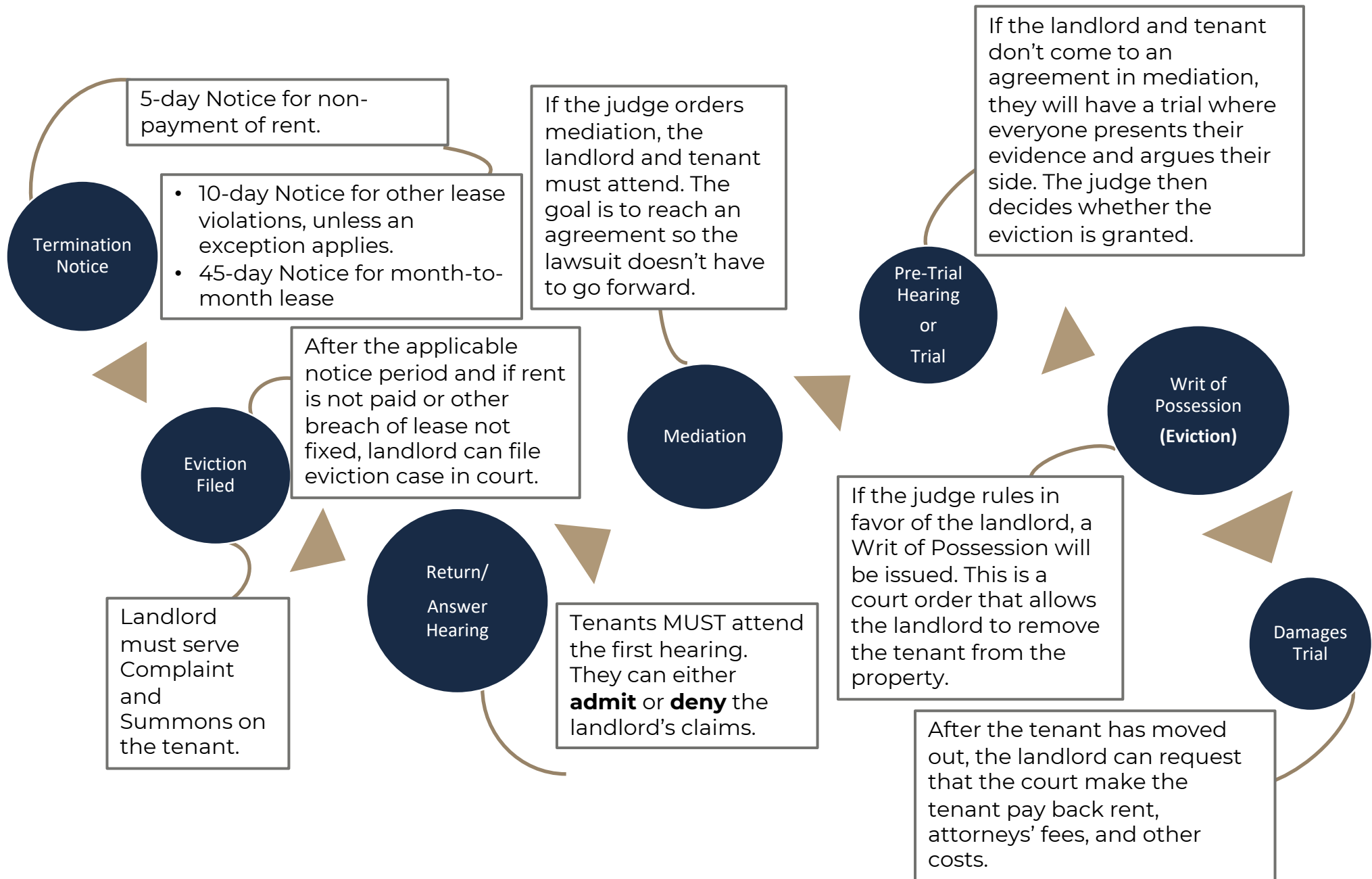


Overview of the Eviction Process



WHAT IS AN ANSWER/RETURN HEARING?

This is the first hearing in an eviction case. The date, location and time are on the Summons (*one of the court documents the landlord must serve on the tenant*)

TENANTS MUST ATTEND! Otherwise, the eviction lawsuit will likely move forward without them.

At the hearing, tenants have **2 options:**

Admit/Agree with the landlord's claims (i.e., agree to move out)
OR

Enter a General Denial if there's anything they disagree with.
(The court will either order *mediation* or set a *trial date*)

POSSIBLE DEFENSES AGAINST AN EVICTION

- Landlord refused to accept rent assistance.
- Landlord's calculations of rent/fees owed are wrong.
- Dispute whether the alleged lease violation occurred.
- Show that the violation has been addressed & fixed

WHAT EVIDENCE SHOULD I BRING TO TRIAL?

- Receipts for rent paid
- Cancelled checks or proof that Landlord refused rent assistance
- Photos showing that you've "cured" the breach alleged in a 10-day Notice & Cure letter
- Any witnesses who can support your account

NEED LEGAL HELP?

Find legal information and apply for assistance online:

www.legalaidhawaii.org

Or call

(800) 499-4302

(M-F: 9am-11:30am & 1pm-3:30pm)

LSC | America's Partner
for Equal Justice
LEGAL SERVICES CORPORATION

 **AmeriCorps**

Made with support from Hawai'i County



ARE YOU FACING EVICTION?

UNDERSTANDING THE EVICTION PROCESS*

&

HOW TO SEEK LEGAL HELP

(*The information in this brochure regarding non-payment of rent is effective as of the expiration of Act 57 on August 6, 2022)