

TENANT TOOLKITS

10-day notice to vacate

Sometimes life happens.

If your landlord has served you a notice to vacate, the Heartland Center staff has gathered the following information for you. This toolkit will cover tenants' rights in Missouri, tenants' options when in this situation, as well as a guide to lingo and other resources available.

Please note: This information is **not legal advice** and, unless you've been specifically told otherwise by Heartland Center staff, no attorney has reviewed your information or performed an analysis of facts or risks. Heartland Center is providing this legal information for educational purposes.

HEARTLAND CENTER FOR JOBS AND FREEDOM

816.278.1344
www.jobsandfreedom.or
info@jobsandfreedom.org

Overview.

Housing issues are stressful and can be overwhelming.

We hope this tool kit can provide you with some resources and options to take. Here we include a quick overview and checklist of the information in this toolkit. Refer to this as many times as needed, and feel free to reach out to info@jobsandfreedom.org if you have any further questions. We will respond to you as soon as we are able.



Know your rights. (pg. 3)

Review the rights here and on our website.



Weigh your options. (pg. 4)

You may feel backed into a corner, however, you do have options. Review your options and determine which is the best for you.



Know the lingo. (pg. 5)

Sometimes the language used for housing is odd. We've provided some definitions to level the playing field and help as you navigate your issue.



Find support. (pg. 6)

There are options for resources and support. Connect with KC Tenants to engage with tenants fighting for and supporting tenants.



Reach out for more information.

Housing issues and eviction can be overwhelming. We created this in hopes of answering some basic questions and providing information. If you find yourself in need of more information and support, call our hotline at (816) 278-1344 to get further advice and support.

NEXT: Your Options.

Your Rights.

Tenants have a right to receive notice of a lease termination and have the opportunity to move before the landlord can file an eviction case. The notice gives the tenant at least 10 days to move (brutal, we know). If a tenant doesn't move the landlord will likely file an unlawful detainer case. As part of the case, the landlord can ask the court to charge the tenant double rent for every day they stayed past the expiration of the notice. Even if the tenant wasn't behind on rent. Tenants have a right to their day in court and to require the landlord to prove that the tenant did violate the lease.



NEXT: **Your Options**

Your Options.

SEEK AN ATTORNEY IMMEDIATELY IF YOU'RE SERVED COURT PAPERS

Other options for tenants include:



MOVE.

While it can be incredibly difficult to do so, tenants do have the option to move within the 10 days and avoid legal action. If a tenant chooses to do this, they'll want to follow move-out procedures. Click [here](#) for information on moving out.

Proper move-out procedures include giving notice to the landlord of when the tenant will be out, leaving the home in broom clean condition, photographing the home before leaving, returning the keys, and possibly giving a forwarding address or at least forwarding the mail through the postal service.



NEGOTIATE.

Tenants have the right to negotiate with their landlord. The tenant could offer to move but ask for extra time. Any agreement should be put in writing, signed, and dated by both parties (tenant and landlord). We have a **negotiating form** [here](#) that tenants may use. Keep a copy of any agreements and always obtain receipts for payments made towards the rent balance.



STAY AND FIGHT.

Tenants have the right to challenge the allegations in court. Tenants should begin gathering any proof and documentation that could be used to prove their case.

NEXT: **The Lingo**

The Lingo.

Tenant, a.k.a. renter – a person who rents a space from another individual or company. Sometimes there is a written lease and sometimes the agreement is made without one.

10 Day Notice - written notice from a landlord, provided to a tenant. The law allows a landlord to end their lease agreement with a tenant when the tenant has violated the lease.

Eviction – a lawsuit that concludes with a judge issuing a judgment for eviction. Law enforcement can “execute” ten days later (forcibly removing a tenant from the home). These officers can allow a landlord to remove the tenant's possessions and change the locks.

Damages – this is what a landlord asks the court to give him when he sues a tenant. In eviction cases, the damages are often the past due rent, late fees, attorney’s fees, and court costs. Damages aren’t referring to the actual damage of property.

Unlawful detainer – the type of case that a landlord would bring if a tenant failed to move after they’ve been given proper notice. These cases carry a significant penalty if the tenant loses; the landlord can ask the court to charge the tenant double rent for every day they stayed past the expiration of the notice.

NEXT: **The Resources.**

The Resources.



Heartland Center for Jobs and Freedom

816.278.1344

www.jobsandfreedom.org

Heartland Center's website. You can find links to toolkits for other situations and other up-to-date resources for tenants.

Other Tenant resources and Toolkits -

<http://www.jobsandfreedom.org/tenant-rights-attorney>



United Way - 211

Call 211

<https://uwgkc.myresourcedirectory.com/>

United Way's hotline for local resources and services.



KC Tenants

816.533.5435

www.kctenants.org

They are an organization led by a multiracial, multigenerational base of poor and working-class tenants in Kansas City. KC Tenants are organizing to ensure that everyone in KC has a safe, accessible, and truly affordable home.