

LEGAL AID SOCIETY OF SOUTHWEST OHIO, LLC

AN AFFILIATE OF THE LEGAL AID SOCIETY OF GREATER CINCINNATI

Tenants' Rights to Stay After Foreclosure Sales

A new law, **Protecting Tenants at Foreclosure Act of 2009**, protects tenants from eviction after a foreclosure sale.

What happens to a house after foreclosure?

The house is sold at a sheriff's sale. The sheriff then gets an order to evict the owner. If you're the owner or a member of the owner's family, you must move or you will be put out.

I'm a tenant. Can the person who buys the building at the foreclosure sale or the sheriff put me out right away?

NO. The new owner has to give you at least 90-days notice.

How do I stop the sheriff from putting me out by mistake?

- Call the sheriff's office at the number on the notice and tell them you are a tenant.
- You may need to show some proof that you are a tenant. This could be the lease, rent receipt, or utility bills.

What if I have a year lease, and the year is not up?

- In most cases, the new owner cannot evict you until the end of the lease. There is one exception:
- If the new owner wants to live in the house, he can end your lease with a 90-day notice

I am a month-to-month tenant without a written lease. How long can I stay after the sheriff's sale?

- The new owner cannot evict you without first giving you a 90-day notice to leave.

What do I do about rent?

- Pay the old landlord until the sheriff's sale.
- After sheriff's sale, you owe rent to the new owner.
- The new owner should give you instructions for paying the rent and a reasonable time to make the first payment.

What about utilities & repairs

- The new owner has the same responsibilities to make repairs and supply utilities as your prior landlord.

How does this affect my Section 8 voucher?

- You have the same rights as any other tenant either to stay to the end of the lease or until 90 days after you get a notice from the new owner.
- You still owe only your Section 8 portion of the rent.
- It's the new owner's job to arrange with Section 8 to get the rest of the rent.
- Make sure you tell your housing specialist about the change in ownership.

I received a notice from a lawyer claiming to represent a bank that now owns the property. The letter says I have only 3 days to leave or I will be evicted. What should I do?

- Contact the person who sent you the Notice and explain that you are a tenant.

If you have other questions, please call Legal Aid Society at 513-241-9400 or 800-582-2682.