

TENANTS RIGHTS IN MOTELS AND ROOMING HOUSES

Information from Legal Aid of North Carolina

Tenants in Motels and Rooming Houses Have the Same Rights as Other Tenants

Residents in motels and rooming houses are tenants if they use their room as their home and pay for it with money or services to the landlord. It does not matter if the tenant pays “rent” or “fees” or performs work in consideration of the occupancy.

The Landlord Can Evict Tenants in Motels and Rooming Houses Only By Using the Courts

Motel and rooming house landlords are not allowed to treat their tenants like “guests.” They cannot hold the tenants’ belongings for rent. The tenants cannot be arrested for trespassing. The landlords are not allowed to change the locks, turn off the electricity or water, or otherwise force the tenants to leave. The landlords must file a complaint called summary ejection in the small claims court. The tenant has the right to contest any wrongful eviction in court. Only if the court grants a judgment for summary ejection can the landlord have the sheriff enforce an eviction. Once the tenant is locked out, the landlord still must release the tenant’s personal property without any charge or fee within seven days after the eviction.

Tenants Who Have Been Evicted Illegally May Sue Their Landlords

If the landlord does put out the tenant illegally, the tenant can get an order from the court to get back in the dwelling and/or have the utility services restored. If the landlord has taken or destroyed any of the tenant’s personal property, the tenant can sue for release of her property and/or the fair market value of items lost.

Need Legal Advice or Representation?

If the tenant needs an attorney and cannot afford one, the tenant may qualify for help from Legal Aid of North Carolina. In Mecklenburg County call (704) 376-1600; elsewhere, call 1-(866) 219-5262.