

Family Facing Eviction Receives Support Through HPRP

Positive Stories / Lessons Learned from HPRP: *Individual Success Story*

HPRP Grantee:	County of Union
CoC Name and Number:	NJ-515 – Elizabeth/Union County CoC

Latest CoC Point-in-Time Count:

Total persons in ES:	346	Total persons in TH:	1,040
Total persons in Safe Haven:	0	Total unsheltered persons:	85
Total persons, sheltered and unsheltered:	1,471		

Terrell remembers staring at the eviction notice he found tucked in the mailbox, then slipping it between the stack of bills and grocery store flyers he handed to his wife. Later that night, when their three kids were in bed and tomorrow's school clothes picked out, Terrell and his wife, Melanie, agreed that the landlord probably wanted evidence of their future ability to pay. But the next day the landlord refused to accept next month's rent, did not want to renew the lease next year, and filed a complaint with the New Jersey Superior Court for their violation of a "Non-Payment of Rent – Notice to Quit".

Had Terrell and Melanie more disposable income, extra time, or friends or family in the area, they may have been able to find another apartment. But the family was extremely low-income and had no other resources to utilize. They panicked when imagining entering a shelter with their kids, particularly with their youngest, who was physically disabled. They brought their stapled complaint and court summons to Central Jersey Legal Services (CJLS) and after determination of their imminent risk of homelessness, entered HPRP.

CJLS wasted no time explaining the illegality of the landlord's action: New Jersey requires a statutorily determined "good cause" to evict a tenant, and neither the landlord's termination of the lease nor refusal to accept a rental payment qualify as such. The statute is also clear that if a landlord does not renew a lease, the terms of the lease continue on a month-to-month basis, and the landlord cannot evict without proper notice. The parents remained anxious, however, until the day CJLS's attorney represented Terrell in court. A brief description of the parents' responses to the eviction attempt was all the court needed to dismiss the eviction suit.

Without legal advice and assistance from CJLS's HPRP, Terrell and Melanie would not have known their right to stay. Terrell doubted his ability to stand up in court and clearly explain his side, and the court could have entered into a judgment to evict. The couple credits HPRP with saving their apartment and keeping their family intact without disrupting their children's schooling. They would have had a very hard time finding another apartment that was in their price range and that suited their needs and the needs of their disabled child.

For more information, contact Melissa Lespinasse, Assistant Director/Division of Planning, Union County Department of Human Services at 908-527-4883 or mlespinasse@ucnj.org.