



SUMMARY POSSESSION FOR NONPAYMENT OF RENT INFORMATION FOR TENANTS

On August 6, 2021, the Governor's eviction moratorium will end. Beginning August 7, 2021, a landlord will be able to file a court action to have tenants evicted for nonpayment of rent.

If you receive a 15-day notice to pay or move out, and you cannot afford to pay the rent due, please read the following carefully:

1. Maui Mediation Services will be contacting you to schedule a mediation session. You can schedule mediation with Maui Mediation Services within the 15-day period. The mediation session does not need to occur within the 15 days, but it must be scheduled within those 15 days if you wish to mediate. If you fail to schedule mediation within the 15-day period, your landlord may proceed in court to have you evicted.
2. If you schedule a mediation session, your landlord is required to participate in mediation. If you qualify, rental assistance may be available to assist you and your landlord. Maui Mediation Services is ready to assist qualified tenants and landlords to access the rental assistance.
3. If you schedule mediation within the 15-day period, your landlord can only file a court case 30 days from the date that you received the 15-day notice. If your case settles through mediation or otherwise, you may avoid court proceedings.
4. At your court hearing, if you, or your attorney if you have one, do not show up, you will lose the case and you will be evicted. When you attend the hearing, the judge may order mediation. The judge may also require that any disputed rent be placed into a rental trust fund until the judge decides your case.
5. Be aware that your landlord may not file a court action for your failure to pay rent except as follows beginning on August 7, 2021:
 - Days 1-30 after the eviction ends, the rent due shall be 4 months or greater
 - Days 31-91 after the eviction ends, the rent due shall be 3 months or greater
 - Days 92-152 after the eviction ends, the rent due shall be 2 months or greater
 - Days 153-365 after the eviction ends, the rent due shall be 1 month or greater

Complaints filed outside of the specified time periods above will be dismissed without prejudice, meaning that the court will allow your landlord to re-file the complaint in accordance with the schedule listed above.

A landlord may file a court case for rent alone at any time after the landlord has demanded payment of past due rent and notified the tenant of the landlord's intention to file such a court case.