OFFICE OF THE TENANT ADVOCATE
PUTTING PEOPLE FIRST.

Tenants of Foreclosed Property

If you are a tenant, you have rights. This document gives you some information about your rights when your landlord is in foreclosure.

You cannot be evicted just because the property is in foreclosure. Under D.C. law, you have the right to stay and pay rent to the bank, Mortgage Company or new owner. If you are a tenant, and the landlord is in foreclosure, **you do not have to leave.**

If you have been told that your home is in foreclosure, there are some things you can do to protect yourself. For example:

- **Let the new owner know you are there.** If you have received notice from a bank or from the bank's lawyer about the foreclosure, make sure they know you are a tenant.

  The next page is a sample form that you can fill out and send in. You can send this form to whoever sent you the notice about the foreclosure. To be safe, **send the form certified mail** so you can prove it was received. We suggest that you also send a photocopy of your lease along with the form.

  If you have a housing voucher, you should inform the new owner, and you should ask the new owner to cooperate by "leasing up" with the voucher program.

- **Find out where you should start sending your rent.** If your home has a new owner, including a bank, you should start sending your rent to the new owner. The new owner should respond to your sending in the attached form by telling you where to send your rent check. If you get no answer, or if the due date for your rent to be paid is approaching, try to contact the bank, Mortgage Company or new owner, or its attorney, and ask for an address where you can pay rent.

- **Contact a lawyer for advice.** If you have questions about what your rights are, you should talk to a lawyer right away. Some people who can help are:

Legal Aid Society:	202-628-1161
DC Law Students in Court:	202-638-4798
Bread for the City:	202-265-2400
Legal Counsel for the Elderly:	202-434-2120
Neighborhood Legal Services:	202-682-2700

  You can also contact the Office of the Tenant Advocate at 202-719-6560 or via email at hicham.mokhtari@dc.gov.

1250 U Street NW
4th Floor
Washington, DC 20009
(202) 719-6560

NOTICE OF TENANCY

<u>Tenants:</u> You can mail this form to any person who has sent you a notice about foreclosure. This might be an attorney, a bank, or a new owner of the property.

Dear _____:
(Person or entity that sent the notice of foreclosure)

I am a lawful tenant at (address)_____, Washington, DC (zip)_____. I recently received your notice, dated _____, informing me of the foreclosure of this property. I have researched my legal rights and been in contact with the DC Office of the Tenant Advocate. I have learned that notwithstanding the foreclosure of the property, I have all of the rights of a tenant under the laws of the District of Columbia, according to the decision of the D.C. Court of Appeals in *Administrator of Veterans Affairs v. Valentine*, 490 A.2d 1165 (D.C. 1985). I cannot be evicted from my home without cause, and I cannot be evicted just because the property was foreclosed or sold after foreclosure.

I intend to remain in possession of the property as a lawful tenant. Please send me information about where my rent should be paid and the contact person for maintenance requests.

For your information, I am providing the following details about my tenancy:

Name: _____
Address: _____
Phone number: _____

Move-in Date: _____
Monthly Rent: $_____

Thank you for your attention to this matter.

Sincerely,

_____
(Signature of tenant)

_____
(Date)

Copy:
Office of the Tenant Advocate
1250 U Street NW – 4th Floor
Washington, DC 20009
Fax: 202-719-6585
[Scan and email: hicham.mokhtari@dc.gov]