



# NEWS FROM THE ATTORNEY GENERAL'S OFFICE

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## **Attorney General Morrissey Sends Warning Letters to Landlords Threatening Eviction Amid Pandemic**

CHARLESTON — West Virginia Attorney General Patrick Morrissey announced Thursday his office has sent warning letters to landlords regarding alleged threats to evict tenants during the global coronavirus pandemic.

West Virginia law prohibits unfair or deceptive conduct and has strict laws to protect tenants from unjust eviction. The letters were sent Tuesday and Wednesday. Specifics were not provided due to the ongoing investigations.

“Many workers understandably have deep concerns about keeping a roof over their families’ heads,” Attorney General Morrissey said. “I get that landlords and property managers have a bottom line, but in this crisis, we must unite and work with one another. Now is neither the time nor the place to play on people’s fears with threats of eviction. To do so is frankly unconscionable.”

Although there is no law preventing eviction during a state of emergency, laws do provide for due process and protect tenants from unfair eviction.

This requires property owners to file a petition for eviction in magistrate or circuit court regarding nonpayment or violation of the lease. The landlord cannot evict or lock out the tenant, shut off utilities or do other things to evict a tenant without going to court.

The tenant must be served with notice of the court hearing and have the right to contest any eviction.

The tenant can only be removed from the property after a landlord has a judgment from the court. The judge will order a date and time by which the tenant must vacate the property, along with the amount of remaining debt owed by the tenant and the deadline for payment.

If the case is decided in magistrate court, an appeal can be filed in circuit court.

Most courts are handling only emergency matters during the ongoing state of emergency. Most hearings are delayed unless the matter falls into a few, very narrow emergency areas of law. Most eviction hearings would not fall under those areas.

The Attorney General's Consumer Protection Hotline – 1-800-368-8808 – remains open to anyone wishing to report scams, price gouging or other manners by which bad actors may try to take advantage of consumers during the pandemic. Written complaints can also be filed at [www.wvago.gov](http://www.wvago.gov).

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