

What is this Document?



Tenants can get lots of different notices and it can be hard to sort through them all. The differences between notices are important and often legally significant, so pay close attention to what each notice says.

Notice to Vacate

Under Texas Law, before a landlord can file an eviction in court, they need to issue a **NOTICE TO VACATE**, which typically tells a tenant to leave ("vacate") within a certain number of days — usually 1-3 days, but could be 30 days if covered by the CARES Act. See below for more information.

If a tenant does not leave in that period of time, a landlord can file an eviction lawsuit.

NOTICE TO VACATE FOR NON-PAYMENT OF RENT, UTILITIES OR OTHER SUMS

NOTICE TO VACATE FOR NON-DELINQUENCY BREACH OF LEASE OR UNAUTHORIZED HOLDOVER

Notice to Vacate: Delivery Method

The notice normally has the words "Notice to Vacate" on it and it can be delivered. 1) by hand to a tenant or anyone in the unit over age 16, 2) by mail, or 3) posted on the inside of a tenant's front door.

Certain Properties Give 30-day Notices

Certain properties are required to give a 30-day Notice to Vacate (instead of the typical 1-3 day notice) BEFORE filing an eviction. To find out if your property may be covered by the CARES Act, please visit evictionisnotacure.com/CARES.



If a landlord does not give a proper Notice to Vacate, that is a defense to an eviction and a tenant should be sure to raise that to the judge.

Other Types of Notices

Notice of Proposed Eviction

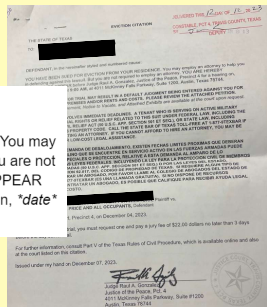
A NOTICE OF PROPOSED EVICTION AND OPPORTUNITY TO CORRECT LEASE VIOLATIONS. YOU DO NOT HAVE TO MOVE WHEN YOU GET THIS NOTICE.

If you live in subsidized housing you might get this notice prior to a Notice to Vacate, giving you a certain amount of time to fix whatever the issue is.

Eviction Citation

DEFENDANT, in the hereinafter styled and numbered cause:

YOU HAVE BEEN SUED FOR EVICTION FROM YOUR RESIDENCE. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. YOU ARE HEREBY ORDERED TO APPEAR before *Judge Name*, *Justice of the Peace, Precinct #* for a hearing on, *date* at *time* at *address of courthouse*.



Usually delivered by a constable and has information about the location, time, and date of your hearing.

Writ of Possession



Gives a constable the right to remove a tenant and their belongings from their unit within 24 hours of being issued. This is the last step in the eviction.