

Idaho Legal Aid Services, Inc.

Advocacy. Education. Representation.

www.idaholegalaid.org

Eviction FAQ ^[1]

Can I be evicted if I have children in the home?

And/Or

Can you be evicted if you don't pay your rent?

And/Or

Do I have to go to court since it is winter and they can't evict me?

You can be legally evicted even if you have children in the home and you can be evicted during any time of the year if:

- *You violate the terms of the lease.*
- *You don't pay rent or pay late.*
- *You use, deliver, or produce a controlled substance (drugs) on the premises.*
- *You rent month-to-month (an open-ended lease) and the landlord give you 30 days written notice asking you to move. I.C. 55-208.*

Both the landlord and the tenant have responsibilities. The tenant has the following responsibilities:

- *Pay rent on time, even if repairs are needed.*
- *Keep those premises under the tenant's control in a clean and sanitary condition. *Properly dispose of garbage.*
- **Properly use appliances, electrical fixtures, and plumbing facilities.*
- *A tenant must not carelessly/negligently destroy or deface the premises or fixtures or let family members and other guests do so either.*

For additional information see the [Landlord and Tenant Rights and Responsibilities](#) ^[2] brochure.

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<http://www.idaholegalaid.org/node/2518/eviction-faq>

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