
Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

Plaintiff(s),
vs.

Defendant(s).

Case No.

ANSWER TO COMPLAINT
FOR EVICTION

(your name/s) _____,

for his/her/their Answer to the Complaint for Eviction, states:

1. I/we ADMIT the following paragraphs (list each paragraph number):

_____.

2. I/we DENY the following paragraphs (list each paragraph number):

_____.

3. I/we DENY the following paragraphs because I/we do not have enough information to admit or deny them (list each paragraph number): _____

_____.

4. I/we DENY the portion of paragraph _____, that states: _____

_____.

_____ and I/we ADMIT the remaining portion of that paragraph.

5. I/we DENY the portion of paragraph _____, that states: _____

_____.

_____ and I/we ADMIT the remaining portion of that paragraph.

6. I/we deny everything I/we did not admit.

DEFENSES

1. Section 4024 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) issues a temporary moratorium on eviction filings that applies to this case as follows:

- a. The rental unit is a covered property as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a)), the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or has a federally backed mortgage loan or federally backed multifamily mortgage loan.

- b. The case was filed within 120 days after the moratorium effective date of March 27, 2020.
- c. This eviction case in violation of the moratorium, which temporarily bars eviction filings for “nonpayment of rent or other fees or charges” or “charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.”

- 2. Plaintiff(s) knew at the time we entered into the rental agreement that the premises were uninhabitable.
- 3. I/we paid all of my/our rent.
- 4. A three-day notice was not served upon me/us as required by Idaho Code §§ 6-303 and 6-304.
- 5. The Complaint was filed and Summons issued before the end of the three-day notice period in which to pay rent or move.
- 6. The three-day notice fails to state the amount of rent owed.
- 7. I am being evicted in retaliation for requesting repairs.
- 8. I tried to pay rent before the time period of the three-day notice expired and the Plaintiff(s) refused my payment.
- 9. OTHER. Defendant(s) request(s) the following relief:

- 1. The complaint be dismissed;
- 2. Defendant(s) be awarded costs.

VERIFICATION: I certify I have read this Answer and state that all facts included are true.

Date: _____

 Typed/printed name

 Signature

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/printed name

Signature

CERTIFICATE OF SERVICE

I certify that on (date) _____ I served a copy to: (name all parties in the case other than yourself)

(Name)

- By mail
- By fax (number) _____
- By personal delivery
- Overnight delivery/Fed Ex

(Street or Post Office Address)

(City, State, and Zip Code)

(Name)

- By mail
- By fax (number) _____
- By personal delivery
- Overnight delivery/Fed Ex

(Street or Post Office Address)

(City, State, and Zip Code)

Typed or printed name

Signature