

How Does an Eviction Affect My Credit, or My Ability to Rent?



Legal Services of Greater Miami, Inc. **Tenants' Rights Project**

Renters' Education and Advocacy Legal Lines (REAL)

<https://sites.google.com/site/reallsgmi>

www.lsgmi.org

WILL AN EVICTION AFFECT MY CREDIT?

Eviction lawsuits usually show up on tenant screening reports, which landlords use to screen potential tenants. These reports are put together by private companies, and usually contain a credit report, information on past evictions, and any criminal background. These tenant screening reports are also sent to some of the national credit reporting agencies. Therefore, an eviction filed against you may appear in your credit history.

If your credit report shows that an eviction was filed against you, it can affect whether a creditor will extend credit to you.

Items can stay on your credit report for 7 years, so an eviction may be a problem if you try to rent a new apartment, or if you try to get credit.

WHAT IF A LANDLORD REFUSES TO RENT TO ME?

If a potential new landlord refuses to rent to you because of your credit history, the landlord **MUST**:

- (1) Notify you of the refusal;
- (2) Give you the contact information of the credit agency they used to run your report; and,
- (3) Let you know that you may obtain a free copy of your credit report from that agency within 60 days of the notice.

If your landlord refuses to rent to you because of your tenant screening report results, the landlord **MUST** notify you of the reason you were denied. You should then get a copy of the tenant screening report by contacting the tenant screening report company directly. If there is any incorrect information, you should report it to the company, and you should also report it to your potential landlord.

WHAT SHOULD I DO IF AN EVICTION IS FILED?

If you are served with a complaint for eviction, you should file a response. A complaint is the legal document the landlord must file to start the eviction process against you.

If you do not answer the complaint, a judge will enter a default against you, which means you automatically lose the case.

If you receive an eviction, you should seek the advice of an attorney to see if you have any defenses, and to avoid a negative impact on your credit. You should also request Legal Services of Greater Miami, Inc.'s brochure on how to answer your eviction.

HOW DO I GET MY CREDIT REPORT?

You are legally entitled to a free copy of your credit report once every 12 months. You can request your free credit report through the Annual Credit Report Request Service. You can go online to request your credit report at: www.annualcreditreport.com, or you can call 1-877-322-8228. You will need to provide your name, address, Social Security Number, and date of birth. If you have moved in the past two years, you may have to provide your previous address. You may also have to provide information about your current or old credit accounts.

WHAT IF THERE ARE MISTAKES ON MY CREDIT REPORT?

If you find any mistakes in your credit report, you should send a letter to the credit reporting agency to notify them of the mistake. You should use the sample letter in this brochure.

You can also submit an explanation of any credit entry to the credit reporting agency. The explanation must be 100 words or less in length.



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Passionately Committed to Equal Justice

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Date

Credit Reporting Agency Name

Credit Reporting Agency Address

RE: CREDIT REPORT ERROR

Dear Sir or Madam:

I have discovered inaccurate information on my credit report maintained by [CREDIT AGENCY NAME: _____]. The report is in my name: [YOUR NAME: _____]. My Social Security Number is: [YOUR SSN: _____].

Enclosed please find a copy of my credit report containing the mistaken data. I have highlighted the errors. The Fair Credit Reporting Act defines the following as billing errors that must be corrected. Specifically, the following information is wrong [CHECK ONE]:

- A purchase made by someone other than the account's unauthorized user or something that I did not buy.
- A disagreement between the purchase price and the price shown on the bill.
- A charge for a product or service that was not delivered according to the agreement.
- Mathematical errors.
- Other questionable items or entries for which I need more information.

For the incorrect data that appears on my credit report, the creditor's name is: [CREDITOR'S NAME: _____], and the account number is: [ACCOUNT NUMBER: _____]. I believe the information on my credit report is wrong because [EXPLAIN DETAILS: _____].

Please investigate this matter with the creditor in question. Should you find there is an error, please remove this error from my credit report.

In addition, please make this letter a permanent part of my credit record.

If you have any questions about my request or the credit information in question, please do not hesitate to call me at the number below.

Thank you for your prompt attention to my request.

Sincerely,

Your signature

Your printed name

Your address

Enclosure: Credit report.