

FREQUENTLY ASKED QUESTIONS

DISTRICT COURT LANDLORD/TENANT

Question: Do I need an attorney?

Answer: If you are a Corporation, LLC, or LLP you will need to be represented by an attorney. If you are a property manager and not the owner of the property, you should speak with an attorney before filing your case or coming to court. However, you will need to understand what is required of you at the time of your hearing. The clerk's office is prohibited by law from giving legal advice.

Question: Will I know when my court date is?

Answer: The Clerk's Office will assign a hearing date on any eviction for non-payment of rent. Other evictions have hearing dates dependent upon the nature of your eviction.

Question: What do I need to bring to the hearing?

Answer: You will be required to bring all experts or other witnesses, documents, or other evidence pertaining to your suit to the court on that date. Failure to do so will not be grounds for a continuance.

Question: What happens after I get judgment for possession?

Answer: You cannot take action against your tenant for a full five (5) days after the day of your hearing. This is an appeal period for the tenant. You can call the Clerk's Office after the appeal period is over to see if the tenant appealed. If no appeal was filed, you can then obtain the documentation required for you to take possession of the property. If back rent is due, you are required to follow procedures within the legal limit of the law to collect on this now debt.

Question: As the tenant, how do I appeal the decision?

Answer: If you are the tenant and you feel as though you have a viable defense against the landlord, you have five (5) full days after the date of your initial hearing to appeal the case to Superior Court. You should contact Rhode Island Legal Services at (401) 274-2652 for more information.
