

Monroe County Eviction Diversion Program

With the end of the CDC Eviction Moratorium, Monroe Circuit Court is requiring landlords to try to reach agreements with tenants about evictions prior to filing a case in court. A pre-filing agreement can often save the costs, delays, and unnecessary vacancies for landlords. It will also help preserve housing, reduce homelessness, and prevent unnecessary records of eviction for tenants.



LANDLORD'S EVICTION DIVERSION AFFIDAVIT

Prior to filing this case, I complied with the Monroe County Eviction Diversion Program as follows:

1. I am considering filing an eviction and by local court directive must invite the tenant to a facilitation or mediation at least twenty (20) days prior to filing any eviction case with the court.
2. I reached out to Tenant(s), _____, on date _____ with a copy of this Affidavit, asking that we participate in the free program I have checked below:
 - Facilitation with the Indiana Landlord and Tenant Settlement Conference Program by making an online request at <https://www.in.gov/courts/selfservice/facilitate/>. The Program will contact us to set up a time; OR
 - Mediation through the Community Justice and Mediation Center (CJAM). Contact CJAM at (812) 269-6353 or L-TMediation@cjamcenter.org to set up a mediation.

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

/s/ _____ Date _____
 Landlord Signature

Landlord Name:		Phone:	
Street Address:		City:	State: ZIP:
Email:			
Attorney (if any):		Phone:	
Attorney Address:		City:	State: ZIP:
Attorney Email:			

Landlords: Failure to provide this notice to tenants in writing at least 20 days before filing an eviction will result in the dismissal of your case by the Courts.



Tenants: Failure to respond to this notice may result in the filing of an eviction case.

TENANT'S EVICTION DIVERSION AFFIDAVIT

3. I understand that I am invited to participate in the Monroe County Eviction Diversion Program.
4. Before I participate in mediation or facilitation with my Landlord, I should:
 - Seek free legal advice through the Housing Eviction Prevention Project by completing this online form: <https://forms.gle/WjCA5BT75DWGjdRs5>. If you have trouble with the online form, contact HEPP at (812) 340-8189 or evictionavoidance@gmail.com
 - Apply for Indiana Emergency Rental Assistance (IERA) at www.indianahousingnow.org

	Yes/NO	If "Yes," on What Date:
Did you already submit an online application for IERA?		
Did you inform your landlord you were applying for IERA?		
Did you receive a response confirming receipt of your application?		
Did you receive a request for additional documents? When did you send them?		
Did you receive an update that your household meets the criteria and you are eligible to receive an IERA benefit?		
Did you receive a determination notice with the amount of your benefit?		
Did you inform your landlord of the status of your IERA benefit?		
I am not eligible for IERA for the following reasons:		
<input type="checkbox"/> Household makes more than 80% of AMI	<input type="checkbox"/> Financial Hardship not related to COVID-19	
	<input type="checkbox"/> Other _____	

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

/s/ _____ Date _____
 Tenant Signature

Tenant Name:		Phone:				
Street Address:		City:		State:		ZIP:
Email:						
Tenant Name:		Phone:				
Street Address:		City:		State:		ZIP:
Email:						

Landlord & Tenants: Report your Results Here

- We reached an out-of-court settlement. We should each keep a copy of our agreement for our records. We do not need to provide a copy of our agreement or this Affidavit to the Court; OR
- We attempted facilitation or mediation but did not reach a settlement. The Landlord requests that the case be set for a contested hearing to last 15 minutes/30 minutes/1 hour/Other: _____; OR
- The Landlord attempted to participate in Eviction Diversion, but could not reach the Tenant or the Tenant refused to participate. The Landlord requests that the case be set for initial hearing.

/s/ _____ /s/ _____
 Landlord Signature Tenant Signature



Landlords: This Affidavit must accompany any Notice of Claim for Eviction filed in Monroe County or the Court will dismiss your case.