

# LANDLORD/TENANT ANSWER IN PERSON FACT SHEET (CIV-LT-91)



## #16: Non-Military

Your answer says that you may have defense # 16.

This defense can be used if you are in, or are a dependant of, someone in the military service. Be sure to tell the clerk, because the case has to be sent to a special courtroom called the Military Part.

Federal and State law give some protection to members of the military service and their dependants. To be able to use this defense you must be on active duty or be a dependent of someone who is on active duty. Federal law says that the rent can not be higher than \$2400.00 per month as adjusted for inflation since 2004. State law does not have a money limit, so you should use this defense even if your rent is higher.

The law covers anyone who can not pay the rent because of the military service. It allows a judge stay the case for 90 days or " . . . adjust the obligation under the lease to preserve the interest of all parties." The judge can appoint a lawyer to represent the person in the service if the person can not appear because of the military service.