

# Who Can Stop Your Eviction in NC?

The CDC moratorium on evictions has been extended until March 31. However, evictions are still being filed, heard, and executed in NC. What is the eviction process, what are the best outcomes to keep tenants housed, and who are the people in power that can decide to stop these evictions?

**Who can stop statewide evictions?**

Governor Roy Cooper and Chief Justice Paul Newby

## Landlord files case

**Best outcome:** County Clerk refuses to accept a filing.

STEP  
**01**

Who can stop an eviction here? your County Clerk

## Setting a court date

**Best outcome:** County Clerk will not calendar at this time.

STEP  
**02**

Who can stop an eviction here? your County Clerk/District Court Judge

## Case gets heard in court

**Best outcome:** The Small Claims Court Judge dismisses the case. If no dismissal, the tenant can request a continuance (postponement to a later date). Small Claims Court Judges can allow this.

STEP  
**03**

Who can stop an eviction here? your Small Claims Court Judge

## If tenant loses, they can appeal within 10 days

**Best outcome:** Tenant wins their appeal in District Court.

STEP  
**04**

Who can stop an eviction here? your District Court Judge

## Landlord receives "writ of possession," aka eviction notice, from the County Clerk

If no appeal, the landlord can receive a writ of possession 10 days after the hearing. If tenant loses their appeal, the landlord can receive immediately.

**Best outcome:** Anywhere the County Clerk is aware the tenant has used a CDC declaration, the Clerk CANNOT issue writs of possession. We must demand Clerks stop issuing them.

STEP  
**05**

Who can stop an eviction here? your County Clerk

## Actual lockout of home by County Sheriff

**Best outcome:** In 3 counties (Guilford, Cabarrus, Harnett) sheriffs are not executing lockouts when presented with CDC declarations. We must demand sheriffs stop executing the lockouts.

STEP  
**06**

Who can stop an eviction here? your County Sheriff

**Who can stop an eviction in NC?** Locally, your County Clerks, Small Claims Court Judges, District Court Judges, and County Sheriffs. Statewide, Gov. Roy Cooper and Chief Justice Paul Newby.



For more info and resources visit: <https://stopevictions.network>