

# FREE LEGAL AID & EVICTION DEFENSE

**Know Your Rights. Get Help. Stay Housed.**

Wake County • Johnston County • Wilson County • Harnett County • North Carolina

**⚠ RECEIVED AN EVICTION NOTICE? Act within 10 days — call Legal Aid NOW: 1-866-219-5262 ⚠**

If you are facing eviction or a housing dispute, free legal help is available. You have rights — and knowing them can make the difference between keeping your home and losing it. This guide covers free legal resources across four counties, explains the North Carolina eviction process step by step, and outlines your key rights as a tenant.

**IMPORTANT: This document provides general legal information, not legal advice. For advice specific to your situation, contact Legal Aid of NC or another licensed attorney.**

## 1. YOUR RIGHTS AS A TENANT IN NORTH CAROLINA

*North Carolina law protects tenants at every stage of the eviction process. These rights apply regardless of county.*

Your Right	What It Means	What To Do
<b>Right to Proper Notice</b>	Landlord must give you at least 10 days written notice before filing for eviction for non-payment of rent.	Keep all written notices. Do not ignore them — they start the legal clock.
<b>Right to a Court Hearing</b>	You cannot be evicted without a court order. The landlord must go to court and prove their case.	Always show up to court. Bring all evidence. Request free legal help before your hearing.
<b>Right to a Habitable Home</b>	Landlord must keep the property safe, weatherproof, with working heat/plumbing, free of pests and mold (NC General Statute 42-42).	Document all problems with dated photos. Send written repair requests. Keep copies of all communications.
<b>Right Against Illegal Eviction</b>	A landlord cannot change your locks, shut off utilities, or remove your belongings without a court order.	Call 911. This is illegal. Contact Legal Aid immediately. You may be entitled to damages.
<b>Right to Appeal</b>	If the magistrate rules against you, you have 10 days to file a Notice of Appeal — this temporarily stops the eviction.	File the appeal at the Clerk of Court before the deadline. Ask Legal Aid about waiving the bond.
<b>Right Against Retaliation</b>	A landlord cannot evict you in retaliation for reporting code violations, joining a tenants union, or asserting your legal rights.	Document the timeline. Note dates of complaints vs. when eviction notice was issued. Tell Legal Aid.
<b>Right to Security Deposit Return</b>	Landlord must return your deposit within 30 days of move-out, with a written itemized list of deductions.	Take dated move-out photos. Provide a forwarding address in writing. File in small claims court if not returned.

**ILLEGAL EVICTION: A landlord who changes your locks, shuts off your utilities, or removes your belongings WITHOUT a court order is breaking the law. Call 911 and Legal Aid at 1-866-219-5262 immediately.**

## 2. THE NC EVICTION PROCESS — STEP BY STEP

*In North Carolina, eviction is called 'Summary Ejectment.' The full process typically takes 4–6 weeks. Tenants have rights and opportunities to respond at every stage. Do NOT ignore any notice or court paper.*

#	Step	What This Means for Tenants
1	<b>Notice to Pay or Quit (10 days)</b>	Landlord gives written notice demanding rent payment or vacating within 10 days. <b>TENANT ACTION:</b> Pay the full amount owed within 10 days — this stops the eviction. Keep proof of payment. If you cannot pay, call Legal Aid immediately at 1-866-219-5262.
2	<b>Landlord Files Summary Ejectment (court complaint)</b>	If rent is not paid, landlord files a 'Complaint in Summary Ejectment' at the county courthouse (\$96 filing fee). <b>TENANT ACTION:</b> Do not ignore court papers. You have the right to appear and defend yourself. Contact Legal Aid or the Wake County Legal Support Center right away.
3	<b>You Are Served a Summons</b>	The sheriff serves you with a summons stating your hearing date, typically 7–14 days from filing. <b>TENANT ACTION:</b> Read the summons carefully. Write down your court date. Gather evidence: receipts, texts, photos, repair requests. Appear in court — missing court almost always results in a judgment against you.
4	<b>Court Hearing Before a Magistrate</b>	Both sides present their case before a magistrate. <b>TENANT DEFENSES</b> include: Rent was paid (bring receipts); Landlord accepted partial payment; Landlord failed to maintain habitable conditions (mold, no heat, pests); Landlord gave improper notice; Retaliation for reporting code violations.
5	<b>Magistrate Issues Judgment</b>	The magistrate rules for landlord or tenant. If the tenant loses: <b>TENANT ACTION:</b> You have exactly 10 days to file a Notice of Appeal with the Clerk of Court. Filing an appeal temporarily stops the eviction. You may need to post a bond (ask Legal Aid about waiving the bond if you cannot afford it).
6	<b>Writ of Possession (if no appeal filed)</b>	After the 10-day appeal period, landlord can obtain a Writ of Possession. The Sheriff — NOT the landlord — is the only person who can physically remove you. <b>TENANT ACTION:</b> If a landlord tries to change locks, turn off utilities, or remove your belongings WITHOUT a court order, that is illegal self-help eviction — call 911 and Legal Aid.
7	<b>Sheriff Executes the Writ</b>	The Sheriff carries out the removal, typically within 5 days of the writ being issued. <b>TENANT ACTION:</b> Contact a shelter immediately (Oak City Cares: 984-344-9599). Request a SNAP or Medicaid update. Gather your documents: ID, birth certificates, medical records, and financial papers before you leave.

**APPEAL DEADLINE: You have exactly 10 days from the magistrate's judgment to file a Notice of Appeal. Missing this deadline ends your right to appeal. File at the Clerk of Court immediately.**

### What To Bring To Court

- All rent receipts, money orders, bank statements, or any proof of payment
- Any written communications with your landlord (texts, emails, letters) — print them out
- Photos or videos of the property — especially if habitability is an issue
- Documentation of any repair requests you have submitted
- A copy of your lease or rental agreement
- Any notices the landlord has given you — keep the originals
- Names and contact information for any witnesses

*TIP: Arrive early. Dress professionally. Speak respectfully to the magistrate. Tell the truth. If you have an attorney or are awaiting Legal Aid, tell the magistrate — a brief continuance may be possible.*

### 3. FREE LEGAL RESOURCES — WAKE COUNTY

Wake County has the most robust free legal network in the region, including a walk-in legal support center inside the courthouse averaging 70+ visitors daily.

Organization / Resource	Address	Phone / Web	Hours	Services
<b>Legal Aid of NC — Raleigh Office (serves Wake &amp; Johnston)</b>	Raleigh, NC (call for address)	Helpline: 1-866-219-5262   legalaidnc.org	Mon–Thu 8:30 a.m.–4 p.m. (Housing Helpline: 1-877-201-6426)	Free civil legal help for low-income residents. Eviction defense, habitability, public & subsidized housing, Section 8, foreclosure, mobile home evictions.
<b>Wake County Legal Support Center</b>	Wake County Courthouse, 316 Fayetteville St., Rm. 125, Raleigh, NC 27601	919-792-5374   wakelsc.org	Mon–Fri 8:30 a.m.–5 p.m. Walk-in; no appointment needed	Free walk-in help for self-represented litigants. Court forms, legal information, referrals. Averaged 70+ visitors/day. No income limit.
<b>Legal Hand Call-In Center (statewide, launched June 2025)</b>	Remote — call or visit online	legalhand.org	Call-in; no appointment, no income or immigration status requirement	Free legal information, assistance & referrals from trained volunteers. Covers everyday civil legal problems before they escalate.
<b>Campbell Law — Blanchard Community Law Clinic (Housing Justice Project)</b>	Raleigh, NC (intake by phone)	919-865-4471   law.campbell.edu	Mon–Fri 8:30 a.m.–4:30 p.m.	Free eviction defense & landlord-tenant representation for Raleigh residents at or below 200% federal poverty level. Law students supervised by licensed attorneys.
<b>NC Free Legal Answers (online Q&amp;A)</b>	Online only	nc.freelegalanswers.org	24/7 online; answers within days	Ask up to 3 civil legal questions per year; volunteer attorneys respond. Great for quick guidance on eviction notices or tenant rights.
<b>Wake Prevent! — Eviction</b>	Apply at wake.gov	Call 2-1-1	Mon–Fri 8	Emergency rental

<b>Prevention Program</b>			a.m.–5 p.m.	assistance for residents 30+ days past due. Helps keep tenants in their homes before eviction is filed. Once every 3 years.
<b>Triangle Family Services — Housing Stability</b>	3937 Western Blvd., Raleigh, NC 27606	919-821-0790   tfsnc.org	Mon–Fri 8:30 a.m.–5 p.m.	Direct financial support, case management, and financial counseling to prevent or resolve housing crises. Works with coordinated entry system.

## 4. FREE LEGAL RESOURCES — JOHNSTON COUNTY

*Johnston County residents are served by the Legal Aid of NC Raleigh office. The Wake County Legal Support Center's new Legal Hand Call-In is also available statewide.*

Organization / Resource	Address	Phone / Web	Hours	Services
<b>Legal Aid of NC — Raleigh Office (serves Johnston County)</b>	Raleigh, NC (call for address)	Helpline: 1-866-219-5262   Housing: 1-877-201-6426	Mon–Thu 8:30 a.m.–4 p.m.	Free civil legal help. Eviction defense, landlord-tenant disputes, habitability, subsidized housing. Income-based eligibility.
<b>Johnston Lee Harnett Community Action (JLHCA)</b>	Lillington, NC (serves Johnston, Lee & Harnett counties)	919-934-2145 ext. 144	Mon–Fri 8 a.m.–5 p.m.	Rapid re-housing, housing stability support, and referrals for residents facing homelessness or eviction.
<b>NC Courts — Johnston County Courthouse</b>	207 E. Johnston St., Smithfield, NC 27577	919-989-5160   nccourts.gov	Mon–Fri 8 a.m.–5 p.m.	File summary ejection appeals, obtain court forms, access self-help resources. Self-represented tenants may request guidance from clerk staff.

## 5. FREE LEGAL RESOURCES — WILSON COUNTY

*Legal Aid of NC's Wilson office serves Wilson County and five surrounding counties. Call the statewide helpline if you are unsure which office to contact.*

Organization / Resource	Address	Phone / Web	Hours	Services
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<b>Legal Aid of NC — Wilson Office (serves Wilson &amp; 5 counties)</b>	208 Goldsboro St. E., Wilson, NC 27893	252-291-6851   1-800-682-7902   legalaidnc.org	Mon–Thu 8:30 a.m.–4 p.m.	Free civil legal assistance. Eviction defense, fair housing, maintenance disputes, foreclosure, domestic violence. Serves Wilson, Edgecombe, Greene, Lenoir, Nash, Wayne counties.
<b>Wilson County Department of Social Services</b>	200 Nash St. NE, Wilson, NC 27893	252-399-2200	Mon–Fri 8 a.m.–5 p.m.	Rental assistance referrals, utility help, emergency assistance programs for residents facing eviction or housing instability.
<b>NC Courts — Wilson County Courthouse</b>	207 W. Nash St., Wilson, NC 27893	252-291-7502   nccourts.gov	Mon–Fri 8 a.m.–5 p.m.	Summary ejection filings, court forms, appeals. Tenants can access self-help resources at the clerk's office.

## 6. FREE LEGAL RESOURCES — HARNETT COUNTY

*Harnett County residents are served by the Legal Aid Fayetteville office. JLHCA provides housing stability support across Johnston, Lee, and Harnett counties.*

Organization / Resource	Address	Phone / Web	Hours	Services
<b>Legal Aid of NC — Fayetteville Office (serves Harnett &amp; Sampson)</b>	Fayetteville, NC (call for address)	Helpline: 1-866-219-5262   Housing: 1-877-201-6426	Mon–Thu 8:30 a.m.–4 p.m.	Free civil legal help. Eviction defense, habitability issues, mobile home lot evictions, public housing cases, foreclosure.
<b>Johnston Lee Harnett Community Action (JLHCA)</b>	Lillington, NC (serves Harnett, Johnston & Lee counties)	919-934-2145 ext. 144	Mon–Fri 8 a.m.–5 p.m.	Rapid re-housing assistance, emergency housing support, and referrals for residents at risk of eviction or homelessness.
<b>Harnett County Department of Social Services</b>	311 Cornelius Harnett Blvd., Lillington, NC 27546	910-893-7500	Mon–Fri 8 a.m.–5 p.m.	Emergency rental assistance programs, utility help, referrals for housing stability. Application for Work First and

				emergency funds.
<b>NC Courts — Harnett County Courthouse</b>	301 W. Cornelius Harnett Blvd., Lillington, NC 27546	910-893-7540   nccourts.gov	Mon–Fri 8 a.m.–5 p.m.	Summary ejection filings, self-help forms, appeal assistance. Clerk staff can direct tenants to available resources.

## 7. QUICK REFERENCE — KEY CONTACTS

Resource	Contact	Who It Serves
<b>Legal Aid of NC — Statewide Helpline</b>	1-866-219-5262   legalaidnc.org	Low-income residents statewide with civil legal problems
<b>Legal Aid Housing Helpline</b>	1-877-201-6426 (Mon–Thu 8:30–4)	Tenants with eviction, landlord, or housing subsidy issues
<b>Wake County Legal Support Center</b>	919-792-5374   wakelsc.org	Anyone (no income limit) needing help navigating Wake courts
<b>Legal Hand Call-In Center (new 2025)</b>	legalhand.org	Anyone in NC needing civil legal info — no income/status requirement
<b>NC Free Legal Answers (online)</b>	nc.freelegalanswers.org	Up to 3 legal questions/year answered by volunteer attorneys
<b>Campbell Law Housing Justice Project</b>	919-865-4471   law.campbell.edu	Raleigh residents at/below 200% federal poverty level facing eviction
<b>Wake Prevent! (rental assistance)</b>	2-1-1   wake.gov	Wake County residents 30+ days behind on rent (once per 3 years)
<b>JLHCA — Rapid Re-Housing</b>	919-934-2145 ext. 144	Johnston, Lee & Harnett county residents facing homelessness/eviction
<b>Legal Aid NC — Wilson Office</b>	252-291-6851   1-800-682-7902	Wilson, Edgecombe, Greene, Lenoir, Nash, Wayne county residents
<b>Legal Aid NC — Fayetteville (Harnett)</b>	1-866-219-5262 (main helpline)	Harnett and Sampson county residents
<b>NC Courts — Self-Help Resources</b>	nccourts.gov   wakelsc.org/legal-resources	Forms, guides, and information for all NC courts — free to download
<b>Community Helpline 2-1-1</b>	Dial 2-1-1   nc211.org (24/7)	Connect to any local resource including housing, legal, and food help

**If you receive any court papers, do not wait. Free help is available — call 1-866-219-5262 today.**

***You have rights. You have options. You do not have to face this alone.***