

REMEDIES

Any tenant that believes a landlord has failed to meet the required responsibilities may:

- Rent Escrow: a tenant may pay rent to the Municipal Court instead of the landlord. Tenants cannot simply withhold rent from the landlord. In order to escrow rent, the tenant must:
 - Ensure rent for all previous months is up-to-date
 - Request IN WRITING that the landlord make the required repairs
 - Allow a reasonable period of time for repairs to be made (no more than 30 days)

If the landlord fails to make timely repairs, the tenant will then:

- Take the next rent payment to the Municipal Court for escrowing
- Ask the judge in writing before trial or at the trial to:
 - Order the landlord to make the requested repairs
 - Order the rent amount reduced
 - Release the rent back to the tenant to pay for the necessary repairs
 - Void the lease

A Landlord that believes a tenant has failed to meet the required responsibilities may:

- Evict the tenant if a material violation of the law or lease has occurred. In order to evict, the landlord must:
 - Provide the tenant with proper notice - either:
 - 3 day notice for nonpayment of rent, or
 - 30 day notice for most other violations
 - Wait the required number of days
 - File eviction complaint in the Municipal Court
 - Provide sufficient proof at a trial
- File a lawsuit seeking damages if the tenant's failure to fulfill the lease or legal obligations have resulted in monetary loss. This alone will not force the tenant to leave the premises.

FAIR HOUSING

The U. S. Department of Housing and Urban Development (HUD) enforces the Fair Housing Act. This is one federal law that protects the housing rights of tenants. The Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18), or because of a disability. It also provides for certain accommodations such as emotional support animals. If you believe your rights have been violated or need additional information, call **419-354-6221**.



RESOURCES

The information contained in this pamphlet is general and should not be applied to specific legal problems without first consulting your own attorney!

Student Legal Services

Bowling Green State University
114 College Park Office Building
Bowling Green, OH 43402
bgsu.edu/SLS | sls@bgsu.edu | 419-372-2951

City of Bowling Green

304 North Church Street
Bowling Green, OH 43402
bgohio.org | bgcity@bgohio.org | 419-354-6204

LANDLORD/TENANT RELATIONS

WHAT YOU NEED TO KNOW



STUDENT LEGAL SERVICES
REAL LAWYERS | REAL RESULTS



CITY OF BOWLING GREEN OHIO



LEASING

BEFORE

Protect yourself by scheduling a meeting at the property to look at the conditions. The prospective tenant and landlord should physically inspect the property before a lease is signed and/or non-refundable deposit is put down.

If the parties agree that certain repairs or upgrades need to occur then these expectations should be written onto the lease with a specific date by which they will be accomplished. Once the lease is signed, the property is accepted in the "as is" condition.

Every tenant should document the condition of the property upon move-in. Providing written AND photo proof of the condition of the interior and exterior will avoid misunderstandings between the parties. This will help the tenant and the landlord. The tenant is protected from being charged for existing damages and the landlord has a list of damages and defects that need attention. Be descriptive when making the inspection, take pictures and label the issues, most importantly, be thorough.

DURING

A landlord may schedule inspections of the property with reasonable notice to the tenant (usually 24 hours in advance).

The tenant may request repairs and inspections from the landlord or applicable governmental agencies. Typical agencies include, the Fire Department (safety concerns), and the Health Department (health codes).

AFTER

The tenant should return the property in the same condition as it was received, less normal wear and tear. After removing all personal property and cleaning the unit, the tenant should complete a final inspection. Written and photo proof of the existing condition will allow both sides to fairly determine if any damages beyond normal wear and tear have occurred during the tenancy. The tenant should provide the landlord with written notice of where to send the security deposit. The landlord will return the deposit, less any damage assessment, within 30 days. If any dispute over damages can't be resolved by the parties themselves then the small claims court has jurisdiction over the issues.



SUMMARY OF RESPONSIBILITIES

TENANT

- Pay rent in full on time (know when rent is due AND when late fees begin)
- Maintain the property in a safe and sanitary condition
- Use and operate all plumbing and electrical systems properly
- Safeguard the property against damage
- Avoid the illegal use of controlled substances on the premises
- Work with and communicate with landlord regarding maintenance needs

LANDLORD

- Comply with all building, housing, health, fire and safety codes
- Keep the premises in a fit and habitable condition
- Keep common areas in a safe and sanitary condition
- Maintain all electrical, plumbing, sanitary, heating and cooling fixtures
- Not abuse the right of access with 24 hours notice

GOOD TO KNOW ITEMS:

- When is trash day and what are the requirements
- Who is responsible for the utilities and who to call with issues about water, electric, or natural gas
- Who is supposed to mow the lawn and remove the snow from sidewalks
- Not all rentals allow for pets; ask the landlord before bringing a pet into the rental unit
- Parties – the tenant is responsible for their guests and liable if a party gets out of hand

*Federal and State law provide specific rights and responsibilities for landlords and tenants. Although a lease contract itself will often provide the details of the agreement between the parties, it can never change what is required under the law.

