



LANDLORD RESPONSIBILITIES ORC 5321.04 A

1. Comply with all building, housing, health and safety codes.
2. Make all repairs necessary for the premises to be fit and livable.
3. Keep common areas safe & sanitary (walks, hallways, stairways, elevators, etc.)
4. If there are 4 or more apartments in the building, provide trash/waste receptacles and arrange for their removal.
5. Supply adequate water, hot water, and heat at all times.
6. Keep all electrical, plumbing, heating, ventilation, air conditioning fixtures, and provided appliances in good and safe working condition.
7. Provide in writing your name and address or the name and address of your agent.
8. Give at least 24-hour notice to enter the apartment or house, *except in case of an emergency*.



TENANT RESPONSIBILITIES ORC 5321.05 A

1. **Pay rent on time!**
2. Keep the premises safe and sanitary. Dispose of trash and other wastes properly.
3. Use and operate all electrical and plumbing fixtures properly.
4. If the landlord &/or his agent gives at least 24-hours notice, allow them to enter.
5. Do not destroy, damage, deface, or remove any plumbing fixtures or provided appliances. Forbid any guests from doing the same.
6. Do not disturb other tenants or neighbors.
7. Keep any provided appliances maintained and in good working order as noted in the terms and conditions of your written rental/lease agreement.
8. Keep and read your lease/rental agreement - know what it says. Leases are addressed in Ohio Revised Code 5321.17.



LEGAL RENT WITHHOLDING FOR REPAIRS ORC 5321.08

If the tenant believes the landlord has not fulfilled his duties or the premises have code violations affecting health and safety, the tenant may notify the landlord of conditions and request correction. The notice must be sent in writing to the person or place where the tenant usually pays rent. Send the notice by certified letter with a return receipt requested. Keep a copy of the letter.

1. If the landlord fails to make corrections within a reasonable time (30 days max depending on the situation) and if the tenant is not delinquent in rent payments, the tenant may:
 - Deposit all rent with the Clerk of the Municipal Court; no attorney is needed nor is there a filing fee;
 - File a lawsuit requesting a rent reduction until the necessary repairs are made (ask the Court's permission to use withheld rent to make repairs); or
 - Terminate the lease or rental agreement.

IT IS IMPORTANT TO NOTE that these actions cannot be taken against a landlord with 3 or fewer rented dwelling units. The landlord must inform the tenant, in writing, of that fact when the rental agreement is made.



LANDLORDS RESPONSE TO RENT WITHHOLDING ORC 5321.09

Any landlord receiving notice that a tenant's rent has been deposited with the Clerk of Courts may request the Clerk of Courts to release the rent on the grounds that:

1. The tenant was delinquent in rent payments at the time the tenant deposited rent with the Clerk of Courts.
2. He did not violate any of the responsibilities imposed upon him by the rental agreement, by any building, housing, health or safety codes, or, that the conditions described by the tenant have been remedied or repaired.

The Clerk will immediately release the rent, less costs, to the landlord if the tenant gives written notice that the conditions have been remedied.

The Court will order the release of the rent if:

1. It finds that the landlord did not violate any responsibilities imposed upon him;
2. The condition the tenant complained about has been repaired or remedied; or
3. The tenant was delinquent in rent at the time it was deposited with the Clerk of Courts.

IMPORTANT FACTS FOR LANDLORDS AND TENANTS

1. Do not harass the tenant with unreasonable or repeated demands for entry. The tenant could recover actual damages.
2. If the tenant violates any provision of the rental/lease agreement, the landlord could recover actual damages and attorney fees, terminate the rental/lease agreement, or other necessary actions.
3. Security deposits are addressed in ORC 5321.16. Did you know?
 - If the landlord keeps the deposit for at least 6 months, he must pay you interest on the portion that exceeds one month's rent.
 - If the landlord does not return or respond in writing regarding your deposit within 30 days, you have the right to sue for double the security deposit.
4. The Eviction Process is addressed in ORC 1923. Did you know?
 - A landlord can evict you if rent is not paid on time.
 - Without a lease, a landlord can end a rental agreement by simply giving you 30 days notice to vacate.
5. If there are items that need repaired, it is a good idea not to move in until the repairs are made. If you cannot wait, then write your own list of repairs. Give it to the landlord after you make a copy for yourself.
6. Protect yourself. Get it in writing.

LOCKOUTS & UTILITY SHUTOFF (ORC 5321.15)

The landlord may not move a tenant's furniture, lock him out, or threaten any unlawful act including utility shut-off to get the tenant to move. If this happens, the tenant may recover all damages and reasonable attorney fees. The landlord can only evict and seize a tenant's property after a court hearing and obtaining a lawful court order.

LEGAL ASSISTANCE

Refer to the yellow pages for attorneys in your area or contact your county bar association for a referral (www.ohiobar.org). Often a lawyer will schedule a half hour consultation for a very affordable fee. Ask for fee information when you call.

Legal Services & Legal Aid: 1-866-LAWOHIO

Legal Aid: 1-888-534-1432; 1-866-794-7281 Español; www.ablelaw.org & www.lawolaw.org

Deaf or hearing impaired? Legal Aid Line toll-free through Ohio Relay at 1-800 750-0750. Ask the operator to contact Advocates for Basic Legal Equality at 1-800-837-0814. Calls will be directed to Legal Aid Line.

Complaints of housing discrimination may be filed with the local fair housing commission or call the US Dept. of HUD toll-free at 1-800-669-9777, for the hearing impaired at TTY 800-927-9275 or on the web at www.hud.gov/fairhousing.

Ohio Civil Rights Commission may be reached at 419-295-2900 (TTY also) or on the web at www.state.oh.us/crc.

Huron County General Health District



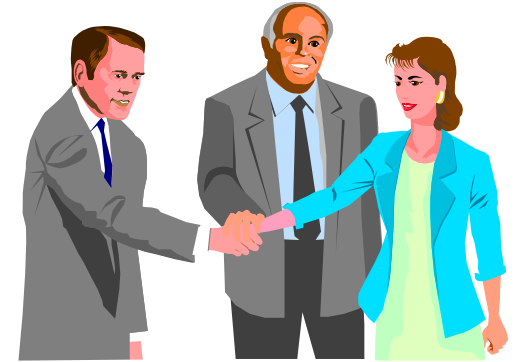
Environmental Division
180 Milan Avenue, Suite 8
Norwalk, Ohio 44857

Phone: 419-668-1652
Fax: 419-660-0129
Website: www.huroncohealth.com

HUD, OCRC, ABLE, LAWO, ORC

Huron County General Health District

A TENANT-LANDLORD FACTS & GUIDE FOR RENTERS OR THOSE ABOUT TO RENT



The Ohio Tenant-Landlord Law is addressed in Ohio Revised Code 5321 and applies to most landlord-tenant relationships. It governs most rental agreements whether oral or written. None of the rights, remedies or obligations which the tenant or the landlord have under this law may be taken away by any written or oral agreement.

The law does not apply to condominiums, prisons, jails, workhouses, halfway houses, hospitals, resident homes, agricultural labor camps, tourist homes, hotels, motels, and some boarding residences. Ohio Revised Code 3733 outlines responsibilities and rights of Manufactured Home Park operators and tenants.

Please read this brochure carefully to use it as a guide for better Tenant-Landlord relations.

Ohio Revised Code (ORC) <http://codes.ohio.gov/orc>