

8 Tips for Resolving Landlord Problems

From



Just as property owners have rights, tenants also have many protections. If you know your rights before problems arise, the odds of a speedy resolution improve, translating into added enjoyment of your residence. Resolve landlord issues with the following tips:

1. **Study your rights.** Renter rights vary from state to state, but most grant tenants the right to a habitable and safe residence. Additionally, some legislation addresses reasonable expectations regarding repairs and maintenance; other laws speak to the timely and fair return of security deposits. Tenants have the right to privacy, non-discrimination and more. State laws outline things a landlord cannot do. For example, a landlord generally cannot stroll into your dwelling without advance notice unless there's an emergency.

Some landlords may need to learn more about the law, and their mistakes may be unintentional. However, in some situations, the landlord refuses to abide by state legal requirements or regulations. If you encounter difficulties, determine your legal rights before taking further steps.

2. **Assess the dispute.** Disputes often fall into a handful of categories, including:
 - a. Damage deposit refunds
 - b. Disputes related to lease terms
 - c. Disputes related to needed repairs or habitability
 - d. Disputes over rent increases, proper notice of changes and more

Make a list of the issues you'd like addressed. This could help focus your conversation and resolve the situation before it escalates.

3. **Be a good tenant.** Pay rent on time, care for the property and abide by the conditions in the signed lease, including following restrictions on the number of overnight guests, having pets and more.
4. **Communicate promptly and fairly.** Report problems as soon as they arise and be honest about how they evolved. Your lease may spell out how to handle after-hours emergencies; always follow those. In all instances, speed of reporting is essential and can significantly reduce property damage. Follow up any phone conversation with a written statement of the issue – an email is sufficient. If you will be late on rent, explain why. Perhaps a recent problem at work temporarily cut your hours, and you must request a one-time late payment. The same goes for damages you caused accidentally.

Did your child drop a toy down the garbage disposal? Be honest and open. The more information you offer, the faster you and the landlord can agree on a fair solution.

5. **Maintain a good mindset.** Your goal in seeking a solution should be to leave both sides feeling good when negotiations end. First, schedule a time to meet and review the issue. Come prepared to offer solutions, not just present problems. Listen to the landlord's views and incorporate their concerns into the solution.
6. **Be prepared to outline your rights.** Smart landlords know and utilize positive skills, too. Hopefully, you will enjoy a productive and pleasant discussion; however, if you meet resistance, remain courteous but don't waiver in your convictions. It sometimes helps to present the landlord with legal information, such as excerpts from state building codes. This serves two purposes. First, it lets the landlord know that you know your rights and could take the matter to court if needed. Second, it offers an opportunity to state that you'd rather skip formal proceedings, work things out and foster improved relations.
7. **Avoid problems before and after moving out.** Request a "walk-through" with the landlord to document any repairs needed or existing damages when you move in. Then photograph the unit's condition when you move in and out. That's your evidence to prevent significant security deposit deductions when you leave. Understand what "normal wear and tear" means. If you've occupied your apartment or house for five years, the landlord knows there will be wear and tear from everyday use of your premises that should not be treated as damage, but some landlords will try to shift the responsibility.
8. **You can protest.** You have the right to complain about an unreasonable landlord. Your detailed records are helpful if you go to Small Claims Court to reclaim your damage deposit or file a formal complaint with your state's agency regulating housing when negotiations fail. If you receive court documents, don't ignore them. Appear in court if ordered to avoid a default judgment.

Do not let a landlord intimidate you or claim you don't have legal protections. If the landlord doesn't honor requests you believe are legitimate, consider working with a tenant's rights lawyer. If you are enrolled in your company's LegalShield benefit, you can quickly request help through the web portal or mobile app; If you are not enrolled, consider doing so at your next opportunity.

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