

FAILURE TO REMEDY CONDITIONS TENANT TO VACATE UNIT

This letter should be used when a landlord has failed to remedy conditions within a reasonable time period and the tenant wishes to exercise his/her right to vacate the premises.

Date: _____
Landlord's Name _____
Address: _____

Dear _____
On _____ I sent you a letter indicating the following conditions existed in my rental unit and common areas: _____

In my letter, I requested the aforesaid conditions be remedied by _____. These items remain uncorrected.

Under the Ohio Landlord-Tenant Law (Ohio Revised Code 5321.07 (B)(3), I have given you written notice of the aforesaid conditions and you failed to remedy them within a reasonable time. Since you have failed to do so, I am moving out of the premises located at _____

on _____. Please send me my security deposit of \$ _____ to me at the following address: _____

Under the Ohio Landlord-Tenant Law, I am entitled to the return of my security deposit within thirty (30) days of the termination of this agreement.

Respectfully,
Tenant's Name: _____
Address: _____

Telephone Number: _____

HELP

If you cannot afford an attorney, but feel you need legal assistance, free legal aid is provided by:

**Southeastern Ohio Legal Services 322 West
High Avenue New Philadelphia, OH 44663
Phone: 330-339-3998**

If you have questions about the information in this brochure, you are invited to call:

**Fair Housing Coordinator New Philadelphia
Fair Housing Program Phone: 330-364-4491
Ext. 242**

FAIR HOUSING IS MORE THAN A GOOD IDEA, IT'S THE LAW!

It is illegal to discriminate against a person because of race, color, religion, sex, national origin, handicap or familial status:

- In the sale or rental of housing or residential lots.
 - In advertising the sale or rental of housing.
 - In the financing of housing.
 - In the provision of real estate brokerage services.
- If you feel you have been discriminated against, you may file a complaint with the following:

HUD 1-800-669-9777 (toll free voice number) HUD 1-800-927-9275 (toll free TDD number)
Ohio Civil Rights Commission 1-614-466-5928

**Funded by Community Development Block Grant
Funds, U.S. Department of HUD**

REPAIRS TO RENTALS

HOW TO REQUEST REPAIRS.

WHAT TO DO IF REPAIRS ARE NOT MADE.



**NEW PHILADELPHIA
FAIR HOUSING PROGRAM
TELEPHONE: 330-364-4491 Ext. 242**

HOW TO REQUEST REPAIRS AND WHAT TO DO IF REPAIRS ARE NOT MADE

First, you must send a letter to the landlord outlining the needed repairs. Be sure to retain a copy of this letter for your records. This letter should be mailed **certified, return receipt requested**. Include photographs of problem areas, if possible.

Repairs should be made by the landlord within a reasonable period of time, usually defined as 30 days, unless the condition is threatening the tenant's health.

If the landlord does not make the requested repairs, the tenant may do one of the following:

- . Deposit all rent with the Clerk of Courts for the New Philadelphia Municipal Court.
The tenant **MUST BE CURRENT IN RENT** to use this option. The tenant must have a copy of the letter sent to the landlord outlining the requested repairs, along with proof the letter was sent (return receipt from certified mail).
- . Ask the court to order the repairs to be made. The tenant may ask that the rent be reduced until the repairs are made, or that rent paid into the escrow account be released to make the necessary repairs.
- . Terminate the rental agreement with no penalty (after proper notice is given) if the landlord has failed to fulfill his/her responsibilities.

PLEASE NOTE: These actions cannot be taken against a landlord who owns 3 or fewer rental units and who informed the tenant of this fact in writing at the time of occupancy.

NOTICE TO REMEDY CONDITIONS

This letter may be sent to a landlord when requesting repairs be made:

Date: _____

Landlord's Name: _____

Address: _____

Dear _____

This letter is being sent to you pursuant to the Ohio Revised Code governing obligations of a landlord, section 5321.04(A). I am requesting the following repairs be made to the unit I occupy at _____

1 _____

2 _____

3 _____

I am requesting the aforesaid conditions be remedied by _____ (30) days from above date).

Under the Ohio Landlord-Tenant Law (Ohio Revised Code 5321.07(A), I have the right to withhold payment of rent to the landlord under the following circumstances:

1. If the landlord fails to fulfill any obligations imposed on him/her by the Ohio Revised Code 5321.04;

2. If the landlord fails to fulfill any obligations imposed on him/her by the rental agreement;

3. If the conditions of the premises are such that the tenant reasonably believes that the landlord has failed to fulfill any obligations;

4. If a government agency has found that the premises are not in compliance with building, housing, health or safety codes which apply to any condition of the residential premises that could materially affect the health and safety of an occupant.

I will be depositing my rent payments with the Clerk of Courts for the New Philadelphia Municipal Court if the conditions are not remedied.

Please contact me as soon as possible to discuss when these repairs can be made.

Respectfully, _____

Tenant's Name: _____

Address: _____

Telephone Number: _____

**Keep two copies - one for you and
one for the court.**