

15 common renters' rights

Although renters' rights vary by region, many are pretty predictable. Here's a sample of rights likely to be addressed in your state's landlord-tenant law:

1. The Fair Housing Act makes it illegal to deny housing to a tenant on the grounds of race, color, sex, religion, disability, family status, or national origin.
2. Residential rental units should be habitable and in compliance with housing and health codes – meaning they should be structurally safe, sanitary, weatherproofed, and include adequate water, electricity, and heat.
3. Many states limit the amount landlords can charge for security deposits. (See <http://www.nolo.com/encyclopedia/articles/lr/lr1.html> to find out if yours is one of them.)
4. A landlord should make necessary repairs and perform maintenance tasks in a timely fashion, or include a provision in the lease stating that tenants can order repairs and deduct the cost from rent.
5. A landlord must give prior notice (typically 24 hours) before entering your premises and can normally only do so to make repairs or in case of an emergency.
6. Illegal provisions in a rental agreement (provisions counter to state law) are usually not enforceable in court.
7. If a landlord has violated important terms related to health, safety, or necessary repairs, you might have a legal right to break your lease.
8. If you have to break a long-term lease, in most states landlords are required to search for a new tenant as soon as possible rather than charging the tenant for the full duration of the lease.
9. Damage or security deposits are not deductible for "normal wear and tear." Some states require that a landlord give an itemized report of any deductions.
10. Most states require landlords to return refundable portions of a security deposit within 14 to 30 days after the tenant has vacated the premises, even in the case of eviction.
11. Landlords usually can't legally seize a tenant's property for nonpayment of rent or any other reason, except in the case of abandonment as defined by law.
12. Landlords are legally prohibited from evicting tenants as retaliation for action a tenant takes related to a perceived landlord violation.
13. A landlord cannot legally change the locks, shut off (or cause to have shut off) your utilities, or evict you without notice; eviction requires a court order.
14. If a landlord makes life so miserable for you that it forces you to move, it may be considered "constructive eviction," which is usually grounds for legal action.
15. In many states, it's illegal for a lease to stipulate that the tenant is responsible for the landlord's attorney fees in case of a court dispute.