

The right steps can protect renters

By Jen Ellison
Emerald Contributor

To avoid the most common problems with your landlord, Amy Clements of OSPIRG says, "Put it in writing!"

When you first move in, make a very detailed list of everything that is and isn't in the apartment and what condition it is in — down to the number of holes in the walls. A detailed list is available at the Rental Information Office in the basement of the EMU. Copy this list and date it within 10 days of the day you signed your lease. This will save trouble when you are trying to get your deposit back.

If there is a problem, write the landlord about it, date the letter and keep a copy. If the problem is an essential need such as heat, water, light or security, the problem must be fixed within seven days.

If the problem is not fixed in seven days, write again and remind the landlord of the problem. Give him or her a reasonable deadline to fix the problem. Also state the action you will take if it is not done by that deadline.

If the problem still exists on the deadline, you can take action. Write a letter stating what

action you will take. You have three options of action to take:

- **Fix or quit.** State that you will break your lease without penalty because the problem has not been solved.

- **Withhold rent.** Clements suggests you make a separate bank account and pay rent into it as you would your regular rent. If the landlord takes you to court for withholding rent you have bank documents saying the money is being set aside for when the landlord does the repairs. Once the problem has been fixed you must pay the landlord all the back rent.

- **Repair and deduct.** Repair the problem yourself and deduct the cost, up to \$200, from your rent. Remember to save the receipts and make a copy when submitting the reduced rent.

The OSPIRG Renter's Hotline is 346-HELP. Anyone, student or not, is free to call if there is a problem with a landlord or a tenant. OSPIRG also sells the *Renter's Handbook*, a breakdown of the Landlord-Tenant Act. It costs \$3 for students and \$4 for anyone else.

The Lane County Consumer Affairs Coordinator is no longer available, but complaints can be made to the Better Business Bureau at 1-800-488-4166.

STUDENTS

Continued from Page 1

valid in court, it doesn't promise that you'll win. You need written documentation."

Barbara called the Renter's Hotline for help. She was advised to write to her landlord and make her requests. Barbara did this, putting into writing all of the promises the landlord had made to her.

Barbara's apartment is a part of an association of townhouses. When she went to the association with her problems, she was told that the landlord had never discussed the promises or made a commitment to do work on the apartment.

"My landlady wrote me two letters and called me twice saying I was the irresponsible one," Barbara said. "She said I signed a lease saying everything was OK. If I didn't like it she'd give me 30 days notice."

Most problems in the Eugene-Springfield area relate to habitability and unfair reductions of deposits, said Renter's Hotline Consumer Affairs Coordinator Ruby Brenne.

The Landlord-Tenant Act states that the landlord is to keep the dwelling habitable,

which is defined as: electricity safely hooked up and in working order, hot and cold running water, adequate plumbing, safe dwelling free of hazards, weatherproofing, adequate garbage receptacles, and working locks on doors and windows. If the landlord refuses any of these services, the tenants is authorized to take action to have them provided.

Teresa put \$25 down on an apartment in June that the landlord said he'd save for her for September. By September the apartment complex had been sold and new owners had no record of her payment. They had an open apartment, and gave it to her, but made her pay a new deposit. Teresa lost the apartment she'd ultimately paid for as well as a deposit.

In Teresa's case, Brenne advised it would be cheaper to forget the \$25 than to press charges and pay court fees.

Students are the group that has the most trouble with landlords, Brenne said. Students don't know the law and some don't think they can do anything about it.

Tenants aren't the only victims. Sometimes landlords are taken advantage of by tenants.

The largest problems for landlords are parties, noise and general lack of housekeeping, said Larry Sweek of Income Property Management. Sweek tries to avoid problems through a screening process that covers a potential tenant's past credit and rental history.

Barry Blanton of Jennings Property Management said 80 percent of the problems come from 20 percent of his renters. Blanton tries to be fair with renters, giving them a copy of the Landlord-Tenant Act.

Ron Burke of Pac West Management said his worst tenants are "hang arounds."

"They are college-age people who aren't going to school but want to be around the college crowd," he said. "They throw parties, are loud and have problems paying the rent."



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THE FAR SIDE

By GARY LARSON



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