Law

Continued from Page 2C

make some effort to clean. Otherwise the landlord may bill you for cleaning and repairs in excess of the deposit.

Aside from taking pictures that document your good-faith efforts, you should arrange a joint walk-through.

3) **Joint walk-through.** Bring two copies of an inventory sheet. You can get a sample inventory sheet from the Rental Information Office, located in EMU Suite 5.

One purpose of the walk-through is to get the landlord to confirm that specific things and areas are being returned in an acceptable condition. Another purpose is to have the landlord commit to an upper limit on the charges that he or she will deduct from your deposit.

Ideally, you'll reach an agreement with your landlord that any remaining work should not cost more than a certain number of dollars. You'll write that down on the inventory report, and you will both sign it. You will then keep one copy for yourself.

If you reach that sort of agreement, the landlord may be able to cut you a deposit refund check on the spot.

4) **Deposit refunds and accounting statements.** The landlord is required to give you your deposit or a written accounting for however much of it the landlord keeps within 31 days of the termination of your tenancy.

You should keep a copy of any refund check, any accounting statement and the envelope they were delivered in. The postmark is often crucial evidence as to whether the landlord complied with the statutory timeline.

If the landlord doesn't return the deposit or the accounting on time, he or she owes the tenant twice the amount withheld.

If you think your landlord has withheld too much of your deposit or asserted unreasonable charges against you, make an appointment at the Legal Services office.

5) **Breaking a lease.** If you have to move out at the beginning of summer but your lease runs until the end of summer, make an appointment with Legal Services. We may be able to help you.

(HINT: If you think you're going to have to break a lease, it's a good idea to start advertising for potential replacements right now. It doesn't cost much, and it might save you three months' rent.)

Starting a tenancy

If you're signing a new rental agreement for the summer, read this now. If you'll be signing a new agreement next fall, cut this out and read it then.

1) **Choosing a place.** Ask around. Before signing an agreement, try to talk with the previous tenant or the neighbors and see what they think of the landlord. Find out about any problems, including bugs, mice, abuse of privacy, etc. If you have questions about a particular landlord, feel free to call Legal Services and find out what kind of history the landlord has with us.

I discourage renting a room in a landlord's house or next door to a landlord. The rent is often less, but there can be a lack of privacy. Similarly, be cautious about living above, below or next to property managers.

2) **Application/screening fee.** If the landlord takes an application/screening fee or a holding deposit, keep any and all written explanations provided concerning those payments. If the landlord takes such payments and does not provide adequate disclosures, he or she owes you the payment plus $100.

3) **Rental agreement.** Read before signing it. Be clear whether it is a month-to-month or a term lease. Understand that if you commit to a term lease, you're potentially liable for many months' rent if you have to break the lease. Understand that if you accept a month-to-month lease, the landlord can kick you out for almost any reason at all by providing 30 days notice.

4) **Get it in writing.** Any assurances that your landlord makes that are important to you should be in writing. Have it added to the rental agreements and initialed by all parties. If the landlord is taking any deposits or fees, ask what they're for. If the written agreement doesn't say what they're for, add an explanation and have it initialed by all parties.

5) **Roommates.** Review the roommate survival manual down at the Rental Information Office (or look at its homepage: oregon.uoregon.edu/~rio/).

Understand that co-tenants are jointly liable for things. That means that if one of you flakes out, skips town or burns the house down, the landlord can sue whichever tenant has the most money for what his or her co-tenant did.

Understand also that co-tenants are "co-adventurers." That means that if you vacate during the middle of a lease term, you still owe your co-tenants your share of the rent until they replace you.

And they don't have to replace you at all if they can't find a new person with whom they get along.

6) **Move-in inventory.** Do one! Do a move-in inventory to protect yourself from being charged at the end of the tenancy for problems that existed when you moved in.

One common complaint I hear is, "My landlord's charging me $300 for cleaning. But I cleaned before I moved out, and the place was a pigsty when I moved in."

Technically, you're only liable if you don't return the premises as clean as you received them. The problem arises when there is documentation of the premises condition at the end of the tenancy, but not at the beginning.

Do an inventory at commencement. Be thorough. Be picky. Get the landlord to sign it. KEEP A COPY!

If anything is dirty enough that it will show up in a picture, take a picture. If you have to spend time cleaning, keep a log of your time and receipts for any cleaning expenses.

John Davidson is a former attorney in the ASUO Legal Services office. Legal Services provides advice and representation to University students on legal issues, including landlord/tenant disputes.

University of Oregon
RECYCLE GUIDE

Starting to clean out early?
PLAN AHEAD !!
You can help us in the efficient collection of your materials.

RESIDENCE HALLS: Recycling collection is available throughout University Housing for the following materials:

* Paper
* Cardboard
* Newspaper
* Bottles & Cans

Residence Hall Recycling Site Locations
Riley Hall: *Kitchen area*
Earl Hall: *First floor foyer*
Walton Hall: *Laundry rooms*
Hamilton Hall: *Trash rooms*
Bean Hall: *Laundry room area*
University Inn: *Laundry rooms*
Carson Hall: *Basement by elevator*

OFFICE CLEAN-OUTS: Please contact us @ 346-5275 to assist you in your office cleanouts.

RECYCLING in the COMMUNITY : For recycling locations in the community contact BRING Recycling @ 746-3023.

FAMILY HOUSING: Recycling sites are located at all dumpster locations. Take all reusable items & donations to your nearest non-profit organization. For *motor oil, batteries,* and other hazardous materials, contact Lane Co. Waste Management @ 687-4119 for more information.

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