



A TENANT'S RESPONSIBILITY TO MAINTAIN A RENTAL UNIT IN HABITABLE CONDITION

A landlord may not be held liable for violation of the implied warranty of habitability if the tenant has not fulfilled his/her responsibility to take reasonable care of the rental unit.

THE TENANT MUST:

- ✓ Keep the premises clean and sanitary, to the extent the condition of the rental unit allows.
- ✓ Properly use all gas, electrical, and plumbing fixtures.
- ✓ Properly dispose of all trash and garbage in appropriate receptacles.
- ✓ Ensure that household members or guests cause no damage to the premises.
- ✓ Use the rental unit for its intended purpose.
- ✓ Notify the landlord, preferably in writing, when the rental unit is in need of repair or maintenance.
- ✓ Not interfere with the landlord's ability to repair any deficiencies.

HOW SHOULD NOTICE OF NEEDED REPAIRS BE GIVEN?

If a tenant believes that his or her rental unit has a deficiency under the implied warranty of habitability, the tenant should immediately notify the landlord by phone and in writing of any needed repairs or maintenance. The tenant should always keep a copy of any correspondence with the landlord or management. Any delay in notifying the landlord may cause additional damage and may result in the tenant being held responsible for damages, even though the landlord may have the initial responsibility to respond. If the landlord has not responded within a reasonable amount of time, then the tenant may exercise other options to remedy deficiencies in the rental unit.

WHAT IS A REASONABLE TIME PERIOD TO MAKE REPAIRS UNDER THE IMPLIED WARRANTY OF HABITABILITY?

A reasonable time period depends on the type of repair to be done. Some repairs may require an urgent response from the landlord, such as, plumbing or electrical problems, while some repairs may allow a landlord a longer period to respond or complete the needed repair, such as, the repair or replacement of a furnace in mild weather.



For assistance contact **Project Sentinel (408) 720-9888**