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 premise.

Date: _____

Landlord's Name: _____

Address: _____

_____

Dear: _____

On _____ I sent you a letter indicating that the following conditions existed in my apartment and common areas:

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

Under the Ohio Landlord-Tenant Law (Ohio Revised Code 5321.07(B)(3)), I have the right to terminate our rental agreement if I have given you written notice of the aforesaid conditions and you fail to remedy them within a reasonable time. Since you have failed to do so, I am moving out 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: _____

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

Its is illegal to discriminate against any person because of race, color, religion, sex, national origin, handicapped 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 have questions about the information in this brochure or you need housing assistance, you are invited to call:

MEDINA COUNTY FAIR HOUSING OFFICE
124 W. Washington St., Suite B-4
Medina, Ohio 44256
330-722-9219
TTY/TTD: 330-725-9123

HELP

Legal advise is always recommended. If you can not afford an attorney, but feel you need legal assistance, you may qualify for assistance from:

MEDINA COUNTY LEGAL AIDE
1-800-998-9454

If you feel that you have been discriminated against you may file a complaint with the following:

MEDINA COUNTY FAIR HOUSING OFFICE
330-722-9219

or

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
1-800-669-9777 (toll free voice number)
1-800-927-9275 (toll free TDD number)

or

Ohio Civil Rights Commission
1-216-787-3150

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Repairs to Rentals

How to request repairs

and

What to do if repairs aren't made

MEDINA COUNTY FAIR HOUSING OFFICE
124 W. Washington St., Suite B-4
Medina, Ohio 44256

REPAIRS

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

A letter outlining the needed repairs must first be sent to the landlord. A reasonable time period, defined as 30 days unless the condition is threatening the tenant's health, should be stated in the letter. Include photographs of the problem areas, if possible. This letter should be **CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** Retain a copy of this letter for your records.

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

1. **ESCROW RENT PAYMENTS:** Deposit rent with the Municipal Court. For the tenant to exercise this option, ***rent must be current*** at the time of deposit. The tenant must present the Court with a copy of the letter sent to the landlord out lining the requested repairs, along with the return receipt showing the landlord received the letter.

2. **REQUEST THE COURT TO ORDER THE REPAIRS BE MADE BY THE LANDLORD.** 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.

3. The tenant also has the option to **TERMINATE THE RENTAL AGREEMENT** with no penalty if the landlord fails to remedy the situation. Proper notice must be given *(please see back of brochure).*

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

NOTICE TO REMEDY CONDITIONS

Date: _____

Landlord's Name: _____

Address: _____

_____

Dear : _____
Landlord's Name

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 that the following repairs be made to the unit I occupy at:

_____
Tenant's Address

ITEMS TO BE REPAIRED:

1.) _____

2.) _____

3.) _____

I am requesting that the aforesaid conditions be remedied by _____ *(30 day future).*

I will depositing my rent payments with the 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: _____

Phone #: (H) _____-_____-_____

(W) _____-_____-_____

(Keep two copies - one for you , one for the court)

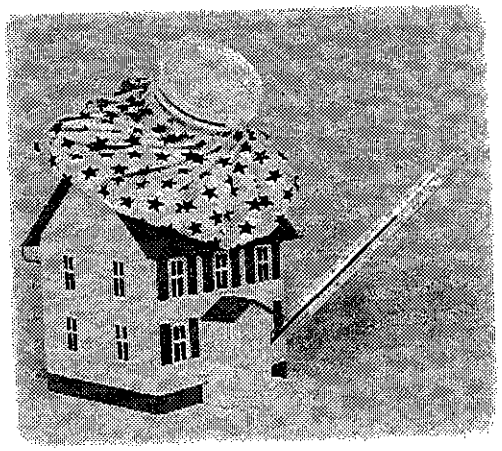
OHIO LANDLORD/ TENANT LAW

Under the Ohio Landlord-Tenant Law *(Ohio Revised Code 5321.07 (A))*, ***you 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 by the Ohio Revised Code 5321.04.

2. If the Landlord fails to fullfil any obligations imposed on him 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 obligation as required by law.

4. If the 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.

NOTE: *It is always recommended that you seek legal advise.*