

# **Ohio Renter's Rights**

## **Taking On Your Landlord**

**Eric E. Willison**

**Andrew J. Ruzicho II**

**Copyright © 2000, All Rights Reserved**

## About the Authors

**Eric E. Willison, Esq.** Attended the Ohio State University, graduating in 1992. During his stay at that institution, he made the acquaintance of many landlords, some of whom were instrumental in reinvigorating his determination to go to law school in order to return some favors. Mr. Willison attended Capital Law School from 1993 to 1996, and was admitted to the practice of Law in the State of Ohio in 1996. He has concentrated his efforts in Landlord/Tenant Law, Personal Injury Law, and Family Law.

**Andrew J. Ruzicho II, Esq.** Attended the University of Michigan, graduating in 1991. Mr. Ruzicho attended Law School at Washington and Lee, graduating in 1994. Mr. Ruzicho was admitted to practice law in the State of Ohio in 1994. He concentrates his practice in Landlord/Tenant Law and Employment Law.

## Table of Contents

<b><u>Chapter</u></b>	<b><u>Page</u></b>
<b>Intro:</b>	<b>5</b>
<b>1: Bare Bones Summary</b>	<b>7</b>
<b>2: Hunting Apartments</b>	<b>8</b>
<b>3: Understanding Rental Applications and Leases</b>	<b>12</b>
<b>4: Moving Into Your Apartment</b>	<b>26</b>
<b>5: Problems During Your Tenancy</b>	<b>30</b>
<b>6: Retaliation By Your Landlord</b>	<b>37</b>
<b>7: Landlord Duties To The Tenant</b>	<b>40</b>
<b>8: The Notification Process</b>	<b>48</b>
<b>9: Problems With Roommates</b>	<b>49</b>
<b>10: Problems With Crime</b>	<b>50</b>
<b>11: Problems Caused by Third Parties or Guests</b>	<b>53</b>
<b>12: Unauthorized Entries By The Landlord</b>	<b>54</b>
<b>13: Moving Out</b>	<b>61</b>
<b>14: The Eviction Process</b>	<b>81</b>
<b>15: Month To Month Tenancies</b>	<b>93</b>
<b>16: The Rules Of The Court</b>	<b>96</b>
<b>17: The Administrative Structure Of The Court</b>	<b>102</b>

<b>18:</b>	<b>Court Tactics</b>	<b>109</b>
<b>19:</b>	<b>Sample Forms</b>	<b>122</b>
	<b>Three Day Notice To Vacate</b>	<b>122</b>
	<b>Sample Lease Favoring Tenant</b>	<b>123</b>
	<b>5321.07 Letter</b>	<b>131</b>
	<b>Security Deposit Forwarding Address Notification</b>	<b>133</b>
	<b>Notice Of Termination of Month to Month Tenancy</b>	<b>134</b>
	<b>Move In/Move Out Damage Checklist</b>	<b>135</b>
<b>20:</b>	<b>Appendix – Common questions and answers</b>	<b>143</b>

## Introduction

Chances are that you purchased this book because either your landlord or your roommates are giving you problems and you don't know how to fight back. This book gets down to the nitty gritty of what your rights are in Ohio in regard to residential rental housing. It is important to note that very little of this book is concerned with commercial tenants (defined as persons who run a business out of the rental space rather than those who live there). This work further does not cover rental arrangements outside of the State of Ohio, nor does it cover mini-storage issues. Lastly, while many of the laws and cases cited herein are analogous to persons who rent mobile homes, there is a different statutory section of the Ohio Revised Code that applies to them, and there are some differences. This book is not addressed to them and should only be used by them as a very general guide to their rights.

This book is organized along the same lines as the chronology of a typical landlord tenant relationship; hunting for apartments, lease signing, move in, problems during the tenancy, move out, eviction, and recovery of security deposit. This causes a lot of hopping around within the various sections of the Ohio Landlord Tenant Act of 1974, but I decided that it was still the best way for the layman to understand the law.

As you read through this book, you will notice a lot of references to college students. This book is primarily focused upon college students who are in their first apartments after getting out of the dorms. If that does not describe you, have no fear. The lessons in this book apply to anyone renting anywhere in the State of Ohio. I focus upon the college students because that is the area where there are the most abuses.

Landlords in the college and university areas tend to take advantage of students for many reasons. Firstly, they know that most students lead a transient lifestyle, meaning that they move often from place to place, either because they are transferring, leaving school, graduating, or taking on a promising employment prospect in a far away state. These factors combine to make it unlikely that many students will carry through on litigation against the landlord.

Secondly, most college students are without the resources to fight against the landlord. Hiring a lawyer, even to find out what your legal rights are, can be expensive, and landlords know that the kids don't have the cash. But you will find in reality that there are lawyers out there who will sit down in an office with you and review your situation for an hour for as little as One Hundred Dollars (\$100.00).

Thirdly, most college students do not have great experience in rental property, and they don't know when something is normal or when something is a rip off. Many college students tend to be somewhat disorganized in their lifestyle and this can work to the landlord's advantage when the student can't produce receipts for all of the rent that was paid under the lease or copies of letters of complaint sent to the landlord about the conditions of the place.