



LAES has developed a series of immigrant issue instructional modules entitled "Tierra de Oportunidad" for orientation to our complex society.

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LAES - Renting A Place To Live

Tierra de Oportunidad - Module 9

## Rights and Responsibilities

### Tenants Rights and Responsibilities:

Tenants must remember that the rented place does not belong to them. They are only using it.

### Tenants have the right to:

- A rental that meets specific minimum conditions:
  - The ceiling and roof should not leak, and there should not be broken doors or windows.
  - The plumbing has to work, both hot and cold water.
  - The heater, lights, electric wiring and gas must work and be safe.
  - Floors, stairways and railings must be in good repair.
  - The place must be clean with no trash, mice, rats or other pests.
  - The landlord must provide enough garbage cans (with covers) for the garbage.
  - There should be fire extinguishers and fire detectors in the rental.
  - If appliances are provided, they must work.
- End the agreement by telling the landlord or manager 30 days before the tenant wants to move

### Tenants are responsible for:

- Paying the rent on time.
- Paying the utilities, unless the contract states that the landlord will pay.
- Paying a deposit and a cleaning fee.
- Stating how many people will live in the place.
- Not subletting the place unless the landlord agrees.
- Following the rules for living in the place.
- Notifying the landlord when the tenant will be away for more than a week.
- Keeping the rental clean and orderly.
- Not making any changes in the rental without the landlord's permission.
- Paying for any damages to the walls, floors, and furniture-if the apartment is furnished.

Tenants are not responsible for painting and taking care of any appliance break downs. Any other agreements should always be in writing.

### Landlords' Rights and Responsibilities

State and city laws are written regarding what services the landlord must give to tenants. The laws are not written very clearly and seem to favor the landlords

**Landlords have the right to:**

- Check on applicants' credit history.
- Enter the place, if there is an emergency, without asking the tenant.
- Not be responsible for loss or damage to the tenant's property.
- Recover lawyer fees if the tenant and the landlord go to court and the landlord prevails.
- End agreement by telling the tenant 30 days before the landlord wants the tenant to move.

In general, the landlord takes care of the structure, grounds, and hallways, and furnishes heat, running water, electricity and plumbing. In California, a rental agreement has an implied warranty of habitability.

**Landlords are responsible for:**

- Giving the name of the manager.
- Notifying the tenant 24 hours before entering to make repairs or to show the place to other tenants.
- Maintaining the place in good condition.
- Paying for repairs in heating, electricity and plumbing.

Sometimes the landlord and the tenant agree that the tenant will take care of minor repairs. This kind of agreement should be in writing. The law still says that it is the landlord's duty to keep a livable place.

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