

# forth

## property services

### Repairs

When something in the property needs to be repaired, the tenant's first step is to provide written (or otherwise agreed upon form of) notice of the problem to the landlord or person who collects the rent. The notice must include the address and apartment number of the rental and a description of the problem. If possible, it's a good idea to deliver the notice personally.

After giving notice, the tenant must wait the required time for the landlord to begin making repairs. Those allowable waiting times are:

- **24 hours** for no hot or cold water, heat, or electricity, or for a condition that is imminently hazardous to life
- **72 hours** for repair of refrigeration and cooking appliances supplied by the landlord
- **10 days** for all other repairs.

If repairs are not started within the allowable time, and you are paid up in rent and utilities, you may exercise the following options:

**Move out.** After waiting the required time, the law allows tenants to give written notice to the landlord and move out immediately. Tenants are entitled to a prorated refund of their rent, as well as the deposits they would normally receive.

**Litigation or arbitration.** A tenant can hire an attorney and go to court to force the landlord to make repairs, or, if the landlord agrees, the dispute can be decided by an arbitration service. Arbitration is usually less costly and quicker than going to court.

**Hire someone to make the repairs.** In many cases, the tenant can have the work done and then deduct the cost from the rent. Before the work is done, the tenant must submit an estimate to the landlord. To speed up the repair process, the estimate can be given to the landlord along with the original notice of the problem.

The total cost of the repairs that may be deducted from the rent cannot exceed the amount of one month's rent.

Despite what you may hear from trusted and well-meaning advisers, you may not withhold your rent payments until the landlord makes repairs. You can be evicted for doing this. If you are having problems, contact our office.