

Landlord-Tenant - How to Properly Withhold Rent

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If your landlord fails to make necessary and reasonable repairs to your rental unit, you may decide to withhold rent. Necessary and reasonable repairs are those that are needed to maintain the habitability of the unit, including plumbing, heating, security, electricity, etc. Below is the process for properly withholding rent.

STEP 01

First, provide written notice to your landlord regarding the needed repairs. Give your landlord a reasonable amount of time to make the repairs.



It is also recommended to check with your local housing inspector to see if the landlord is violating any housing codes. If so, the housing inspector will likely give your landlord a specific amount of time to make the repairs.

STEP 02



If the landlord still has not made the repairs, you may make the repairs yourself. The repairs must cost a reasonable amount of money, otherwise you may be responsible for the cost.

STEP 03



The next time you pay rent, subtract the amount of the repairs from the rent and provide your landlord with written evidence of the cost of the repairs and how much rent you withheld.

STEP 04



If the repairs cost more than the rent, then you should put the amount in a separate bank account for the purpose of making the repairs. You must provide your landlord with written evidence of your intention to withhold rent, including proof of the cost of repairs. Then you must give your landlord evidence of the deposit into the account. You must maintain the account until there is enough money in it to pay for the repairs or until the landlord makes the repairs him or herself.



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Table of Contents