

Tenant Survival 101



Student Legal Services

- Free and Confidential Legal Services
- For active students (not alumni)
- Advice, Brief Services, Referrals
- Any issue or question
- Landlord and tenant issues
 - Lease Review
 - Evictions
 - Conditions Issues
 - Security Deposit Returns

What CSLS Cannot Do

- Advise students in conflicts with the university (professors, Board of Trustees)
- Student Judicial Process
- On-campus housing matters
- Students in conflict with other DePaul students this includes roommate disputes, if they are DePaul Students
- Represent students in court

Know Your Rights!

Laws That Apply to Landlord-Tenant Situations:

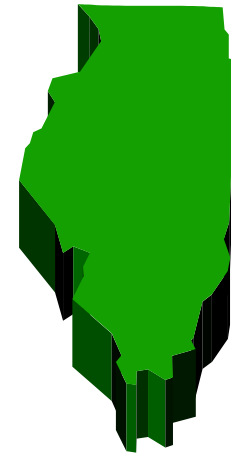
- Contract Law – Your Lease!
- Local Laws
- Illinois Laws
- Federal Laws

Local Laws

- Chicago Residential Landlord and Tenant Ordinance
- Chicago Bedbug Ordinance
- Chicago Fair Housing Ordinance - *prohibits housing discrimination based on race, color, national origin, ancestry, religion, disability, age (over 40), sex, sexual orientation, gender identity, parental status, marital status, military discharge status, and source of income.*

Illinois Laws

- Forcible Entry and Detainer Act
- Landlord and Tenant Act
- Security Deposit Return Act
- Security Deposit Interest Act
- Rental Property Utility Service Act
- Illinois Human Rights Act
- Retaliatory Eviction Act
- Illinois Residential Tenant's Right to Repair Act
- Radon Disclosures



Federal Laws

- Fair Housing Act
- Federal Lead Hazard Disclosure



Apartment Applications

- Beware of Scams!
- Consider what personal information to give the landlord
- Some applications require your Social Security Number for a credit check
 - The decision whether to give that information is yours.
 - See FTC website <https://www.consumer.ftc.gov/>

Before You Sign a Lease

Finding a suitable apartment

- Create a budget
- Review Financial Fitness handouts – “Finding the Perfect Apartment”
- Visit the neighborhood at night
- Search crime statistics
- LeaseLobster App – assistance with finding an apartment that’s right for you www.leaselobster.com

Before You Sign a Lease

Investigate Your Landlord

- Better Business Bureau's online business listings
- Talk to prior and current tenants
- Check local court records to search for foreclosures, lawsuits against the landlord
- City of Chicago building violations online
- Bedbug registry - <http://www.bedbugregistry.com>

Before You Sign a Lease

Inspect The Apartment

- See the apartment you are actually going to rent
- Make sure everything is in good working order
- Look at ceilings, walls, under sinks
- Walk-through the apartment with the landlord and note, in writing, all issues or repairs that need to be addressed before move-in. Have the landlord sign off on the document.

Before You Sign a Lease

- Promises Must Be In Writing - If your landlord makes any promises about repairs or changes, get those promises written into the lease
- Deposits and Fees – Money paid prior to moving in. A deposit may be refundable. A fee is typically non-refundable
- Remember, a lease is a contract
 - Make sure you can fulfill your obligations
 - Breaking your lease creates serious consequences

Roommates & Cosigners

- Joint and Several Liability
- Sign lease at the same time as your roommates
- Are your roommates are a good fit academically, socially, and financially?
- You cannot break your lease because of a bad roommate!
- Cosigners/Guarantor – Usually parents, willing to fulfill your lease obligation if you violate the lease.
- See CSLS [Roommate Contract](#)

Signing The Lease

- Read the lease and ask for a copy
- Make sure your lease includes:
 - the amount of your monthly rent
 - the amount of the security deposit, if any
 - who is responsible for paying for utilities
 - the landlord's name, telephone number, and address
- DO NOT sign a lease that contains any blanks
- An oral lease can be renewed on a month to month basis
 - Either you or the landlord can break with proper notice
 - Notice: 30 days before the rent is due

Required Lease Attachments:

Federal Law:

- Lead disclosure form

Illinois Law:

- Radon disclosures, if applicable
- Common areas utility disclosure if required to pay

Chicago Law:

- Residential Landlord Tenant Ordinance summary
- Summary of security deposit rights and obligations
- Landlord address, email and phone number
- Heating cost disclosure
- Any building code violations within the last year
- Notice of pending utility shut off
- Bed bug brochure

Before You Move In

- Inspect Your Apartment
 - Make sure agreed-upon repairs have been made
 - Completely inspect all the rooms with the landlord
 - See CSLS [Move in Inventory](#)
- Take Pictures
- Set up Utilities
- Forward mail [USPS.gov](https://www.usps.gov)



Helpful Applications

- RentRhino
 - Assistance with assessing the conditions
 - rentrhino.net
- Squared Away Chicago
 - Helps tenants solve home-related problems with landlords in the quickest, most effective way possible.
 - www.squaredawaychicago.com



The Day You Move In

- Before you unpack check your new apartment for rodents or insects
- Check the security of your building and the apartment
 - Make sure that the locks or other security devices are in good working condition.
 - If they aren't immediately inform the landlord and request repairs.
- Make sure there are working smoke detectors and carbon monoxide detectors

After Moving In

- Consider getting renters insurance
- Documents
 - Set up a folder to keep any correspondence between you and the landlord
 - Keep copies of all documents related to your tenancy, including any communications with the landlord
- Be a good neighbor

After Moving In

- Take care of the landlord's apartment and property, this can reduce your damage liability when moving out
- If a defect in the unit causes damage, make the landlord aware of it in writing and keep a copy of the notice for your records
- If the landlord is not maintaining the property, there are strict notice requirements with specific language you must follow

Rent

- Pay rent on time
- Possible late fees
- Possible eviction
- Don't pay rent in cash, BUT if you have to, get a receipt



Lease Renewal

- Talk to landlord ahead of the end date of the lease if you wish to stay
- Holdover tenancy: If you stay beyond the lease term, landlords may charge you additional rent or evict you



Moving Out

- Do I have to give my landlord notice before I move?
 - Depends on the lease and local ordinance
 - Typically, the lease will have an end date
 - If month to month, you should give a 30 day notice.
- If you fail to give proper notice, the landlord may hold you liable for additional rent even though you no longer were in possession of the apartment
- Notices and agreements should be in writing

Moving Out

- Clean the apartment and remove your property
- Take pictures of the empty apartment
- Request a walk-through with the landlord
- See CSLS [Move Out Inventory](#)
- Get a receipt for returning your keys or mail them back certified mail, return receipt requested. Avoid drop boxes.
- Give the landlord your forwarding address for the return of your security deposit, if applicable.

Moving Out

- Call the utility, telephone, and cable companies to have service stopped or transferred to your new residence.
- Notify the post office, your family, your employer, and others of your new address.



When To Seek Legal Advice

- Before signing the lease – lease review
- When there are problems with the condition of your apartment
- Before withholding rent
- Before breaking your lease
- As soon as you get an eviction notice
- If your landlord doesn't return your security deposit

Resources

- Croak Student Legal Services – sls.depaul.edu
- Illinois Legal Aid Online – www.illinoislegalaid.org
- Metropolitan Tenants Organization - <http://www.tenants-rights.org/>