

Security Deposit

A landlord may collect a security deposit to cover potential unpaid rent and repair costs for damage caused by the tenant. **For more information about how to request return of a security deposit, and to complete documents to request return of a security deposit, visit: <https://lasclev.org/getbacksecuritydeposit/> or text FAQ DEPOSIT to 216.242.1544 to get this link sent to your phone.**

Tenant Information Line

Legal Aid answers tenant questions through its new Tenant Information Line. **Tenants can call 216.861.5955 between 9 a.m. and 5 p.m.** to leave a message that includes their full name, phone number and a short description of their housing question. For example, callers could say: "I have repair issues," "My landlord changed my locks," or "I want my security deposit returned." Keep messages brief, and an information line specialist will call back.

Quick Reference for Housing Help:

Tenant Information Line

Call 216.861.5955

Respond to eviction complaint

Text FAQ EVICTION to 216.242.1544

Return of security deposit

Text FAQ DEPOSIT to 216.242.1544

How to rent deposit

Text FAQ REPAIRS to 216.242.1544

Lead poisoning information

Text FAQ LEAD to 216.242.1544

For other housing information

Visit <https://lasclev.org/category/faqs/housing-faqs/>



The
Legal Aid Society
of Cleveland
Since 1905

This brochure was prepared by Legal Aid, which serves low-income residents of Ashtabula, Cuyahoga, Geauga, Lake and Lorain counties in Northeast Ohio.

Intake Line for New Legal Cases

Toll Free: 888.817.3777

Tenant Information Line

Call for info related to tenants' rights and rental housing.
(This line does not provide legal advice.)
216.861.5955

Learn more about Legal Aid and upcoming brief advice clinics:

www.lasclev.org

Legal Aid Offices:

Cleveland & Administrative Offices

1223 West Sixth Street, Cleveland, OH 44113

Elyria Office

1530 West River Road, Suite 301, Elyria, Ohio 44035

Jefferson Office

121 East Walnut Street, Jefferson, OH 44047

Painesville Office

8 North State Street, Suite 300, Painesville, OH 44077

If you have a communications limitation, contact Legal Aid through the Ohio Relay Service at 800.750.0750. 

Legal Aid offers interpretation and translation services so those with limited English proficiency can communicate with Legal Aid staff in their dominant and/or preferred language.

The information in this brochure cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. You should contact a lawyer if you need representation or if you have questions.



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Ohio Landlord-Tenant Law: The Basics



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In Ohio a Landlord has a duty to:

1. Keep the property in livable condition.
2. Keep the common areas clean and safe.
3. Comply with building, housing, health, and safety codes.
4. Keep in good working order all electrical, plumbing, heating, and ventilation equipment.
5. Maintain all appliances and equipment supplied by the landlord.
6. Provide running water, hot water and heat (unless the hot water and heat are controlled entirely by the tenant and supplied by a direct public utility hook-up).
7. Provide garbage cans and trash removal (if the landlord owns four or more residential units in the same building).
8. Give at least 24 hours notice, unless it is an emergency, before entering a tenant's unit, and enter only at reasonable times and in a reasonable manner.
9. Evict the tenant when informed by a law enforcement officer of drug activity by the tenant, a member of the tenant's household, or a guest of the tenant occurring in or otherwise connected with the tenant's premises.

In Ohio a Tenant has a duty to:

1. Keep the property clean and safe.
2. Dispose of rubbish in the proper manner.
3. Keep the plumbing fixtures as clean as their condition permits.
4. Use electrical and plumbing fixtures properly.
5. Comply with housing, health, and safety codes that apply to tenants.
6. Refrain from damaging the property and keep guests from causing damage.
7. Maintain appliances supplied by the landlord in good working order.
8. Conduct yourself in a manner that does not disturb any neighbors and require guests to do the same.
9. Permit landlord to enter the dwelling unit if the request is reasonable and proper notice is given.
10. Comply with state or municipal drug laws in connection with the property and require household members and guests to do the same.

Eviction

A landlord may bring an eviction action against a tenant when the tenant has:

- Failed to pay rent on time
- Failed to follow the terms of the lease agreement
- Occupied the unit after the termination or expiration of the rental agreement.

Before filing an eviction in court, the landlord must first serve a 3-day notice to vacate the premises in person, by mail, or at the premises. If the tenant does not move within the 3-day period, then the landlord may file an eviction, also called an action in "Forcible Entry and Detainer."

A tenant does NOT have to move until a court orders the tenant to leave the property. The 3-day notice only alerts a tenant that the landlord may be getting ready to file an eviction action.

The eviction is filed at the court in the city where the property is located. The Court will schedule a hearing and send the tenant a summons and complaint at least 10 days before the hearing.

At the time a landlord files an eviction, the landlord may also file a "second cause of action" to recover money damages (rent, moving costs, damage to the property, etc.). If the tenant does not answer the complaint within 28 days, the Court may issue a default judgement for the landlord, even if the tenant does not attend the hearing.

Tenants can complete an "EVICTON ANSWER" at: <https://lasclev.org/evictionanswerandcounterclaim/>. Text FAQ EVICTION to 216.242.1544 to get this link sent to your phone.

Self-Help Eviction Prohibited

A self-help eviction is when a landlord forces a tenant to leave without following the proper eviction process required by law. Whether or not a tenant has the right to remain in the property, a landlord may not:

- Shut off utilities
- Change the locks to force the tenant from the unit
- Seize the tenant's possessions to recover unpaid rent

A tenant facing any of these circumstances should call Legal Aid at 888.817.3777.

Conditions Issues

If a landlord does not comply with duties under Ohio landlord-tenant law, or local housing and building codes, or otherwise fails to keep the property safe and livable, a tenant may give the landlord written notice to correct the problem. If the landlord does not remedy the problem in a reasonable time (usually 30 days), the tenant may deposit rent in escrow at the court, provided the tenant is current.

For more information about rent depositing requirements and process, see <https://lasclev.org/is-rent-deposit-an-option-to-get-my-landlord-to-make-repairs/> or text FAQ REPAIRS to 216.242.1544.

A tenant who has problems related to lead exposure in the property should call Legal Aid or text FAQ LEAD to 216.242.1544.

Retaliation Prohibited

In Ohio, a landlord is forbidden from retaliating against a tenant by increasing the rent, decreasing the services, terminating or failing to renew a rental agreement, evicting or threatening to evict the tenant because the tenant has complained to a public official, complained to the landlord, or organized a group of tenants. **A tenant who experiences retaliation should call Legal Aid.**