

Renting an Apartment or House: Your Rights and Responsibilities

Signing a Lease

A lease is a legal document wherein you and another person or company, agree on the arrangements for you to live in or on their property. Signing a lease with a landlord or company provides you a limited number of rights as well as mandates certain responsibilities. Only the most basic facts about rental agreements are given below. When a problem occurs that is not discussed below, ask for help.

What are your duties and rights as a tenant?

- ♣ Pay the rent as agreed on in the lease and fulfill the requirements of the lease
- ♣ Keep the rented premises safe and clean (e.g. properly dispose of garbage/rubbish)
- ♣ At the end of the lease, leave the apartment or room in the same condition as you found it. Don't damage, destroy or remove any part of the premises. You are responsible for fixing and paying for this type of damage. If you fail to do so, the amount needed to fix the damage will be taken out of your security deposit.
- ♣ Give the apartment notice of your intention to move out. Ask the apartment complex when they require this notice. Some companies require a 30-day notice before your lease ends. Other companies require as much as a 90-day notice. **This is important. If you do not do this on time, the apartment will charge you a lot of money!**
- ♣ You have a basic right to privacy. However, the landlord also has the right to look at the premises with reasonable notice.
- ♣ If the landlord fails to fulfill some part of his or her responsibilities as stated in the lease, you have the right to require the landlord to do so.

What are the responsibilities and rights of your landlord?

- ♣ To do all repairs that are necessary to keep the rented premises livable and safe. This includes the repair of all electrical, plumbing, sanitary, heating, ventilating, air conditioning, etc. It is best to call the landlord first if you think any repair is necessary.
- ♣ To evict (remove) you if you violate any provision of your rental agreement. Failure to pay rent is grounds for eviction.
- ♣ To enter and inspect the property at reasonable times and in a reasonable manner.
- ♣ To have the property in the same condition as it was when you moved in.
- ♣ To ask for a security deposit at the beginning of each new lease. By law, it cannot be more than 1.5 month's rent. If the resident abides by the lease, the landlord must refund the full amount of the security deposit within 30 days after the lease ends. They can keep any part or the full amount of the deposit if...
 - a) The tenants do not pay rent as agreed
 - b) If damage caused by the resident and resident does not repair it,
 - c) If the place is not left in the same condition as it was found upon move in
 - d) Or if the resident leaves before the end of the lease and stops paying rent.
- ♣ If the landlord keeps some or all of the deposit, he/she must give the resident a list of the reasons.

What to do when you have problems with your landlord or the lease?

It sometimes happens that a landlord neglects his or her duties. In these cases, you have the right to take legal action. You can obtain legal advice from the following sources:

- ♣ **North Carolina Attorney General's Office** in Raleigh, 1.877.566.7226. Or visit: <http://ncdoj.gov/Consumer/Home-Repair-and-Home-Products/Renting-a-Home.aspx>
- ♣ **Durham Neighborhood Improvement Services.** 919.560.1647. durhamnc.gov/570/Neighborhood-Improvement-Services
- ♣ Contact International House for a handout on **Legal Advice**. This handout is NOT on our website, so call us at 919.684.3585 or email us at ihouse@duke.edu for assistance.

Renter's Insurance



What is it?

Renter's Insurance is similar to homeowner's insurance but it is cheaper and covers a smaller range of difficulties. In general, this type of insurance will cover all of the possessions inside your accommodation, including if they are stolen or damaged. Be warned that Duke students have had fires in their apartments, usually in the kitchen due to cooking accidents.

What is covered?

Quick answer: It depends on the policy. You will need to look into the detailed information yourselves. However, in general, the coverage will include damages from: fire or lightning, windstorm or hail, explosion, damage caused by vehicles/aircraft, theft, falling objects, weight of ice or snow or sleet, sudden accidental tearing apart, burning, etc.

Why get it?

Odds are that you won't need it, but it is fairly low in cost. Should you need it at any point during your stay, it would likely pay for itself. One example:

Sally, and her roommate Maria, decided to go out for ice cream one beautiful spring afternoon during their last semester at Duke. The weather was nice, so they had their windows open to let in the fresh air. They didn't think much of it since the ice cream parlor was a mere 5 minutes away by bus. When they returned home, one hour later, they discovered that Maria's new stereo, 100 of Sally's CDs, some jewelry Maria's boyfriend gave her for her birthday, and Sally's leather jacket were missing. Sally and Maria called the police and filed a police report. Fortunately, Sally and Maria had renter's insurance, so they also called the agency to report the theft. The insurance company sent an agent to talk to them and investigate the theft. After doing his own investigation and reviewing the police report, the insurance agent gave Sally and Maria a check for \$2,000 (the agent's estimate for replacing the stolen goods).

How do I get it?

There are a number of insurance agencies which offer renter's insurance. Ask friends and colleagues what insurance company they use. If you have auto insurance, you can purchase Renter's Insurance through the same company.

There is an in-depth guide of renter's insurance companies which features reviews, comparisons and ratings.

<http://www.reviews.com/homeowners-insurance/>

How much is it?

It depends on where you live, the estimated value of your property, and how much coverage you need.

Renter's insurance costs approximately \$15 - \$20/month for \$20,000 of coverage.