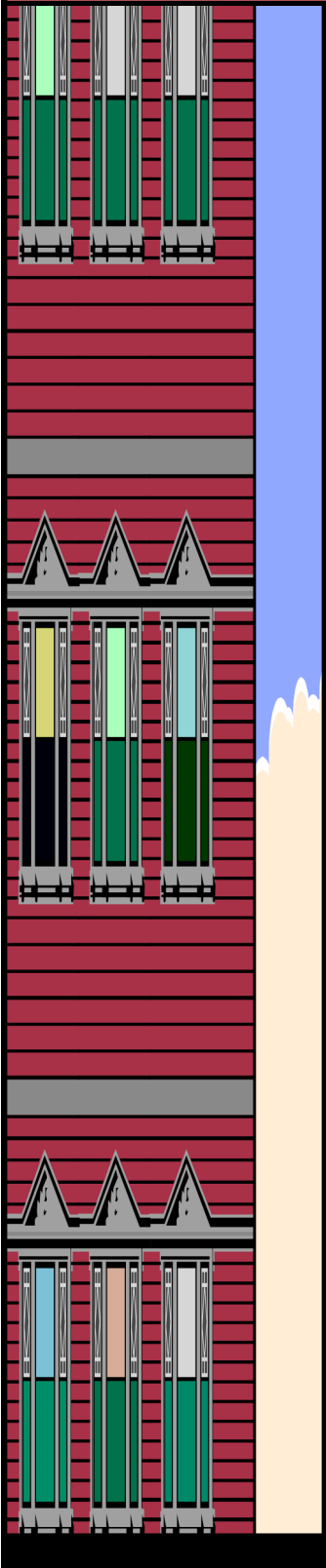


Landlord and Tenants: Rights and Responsibilities

FACT SHEET: Landlord/Tenant Responsibilities



Under West Virginia law there are rights and responsibilities for both tenants and landlords.

Fit and Habitable

If the tenant has a problem such as no heat, water or electricity, the tenant must make a complaint to the landlord, who is required to correct the problem promptly. The complaint should be written and dated.

If the landlord does not take action in a reasonable amount of time, the tenant has the right to file a civil suit in the county where the rental is located.

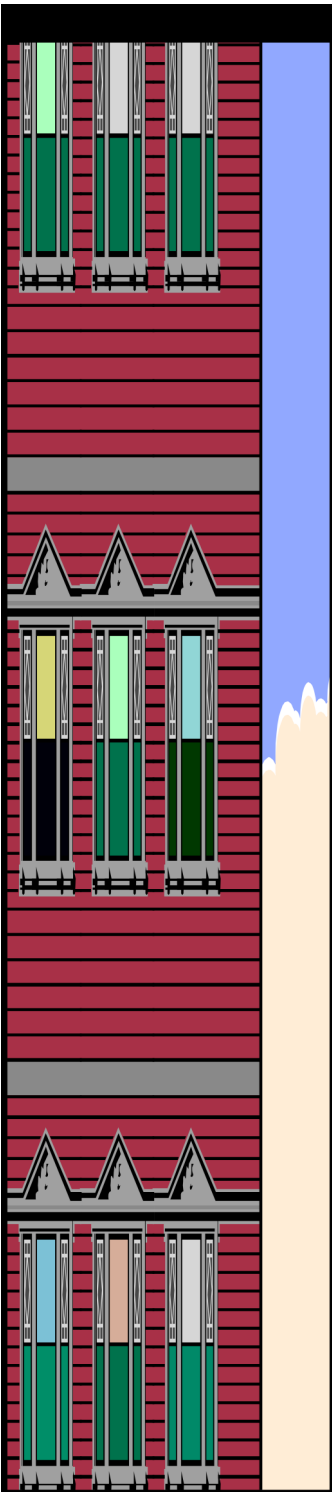
Rental Payments

A landlord is entitled to collect rent as specified in the lease. The tenant is responsible for paying the rent as specified in the lease.

Landlord Responsibilities

Landlords

- **Do** have responsibility for responding promptly to a tenant's written complaint about problems in the rental that might make it unfit and uninhabitable
- **Do** have responsibility for general maintenance and compliance with all relevant health, safety, fire and building codes
- **Do** have responsibility for installing and replacing smoke and carbon monoxide detectors
- **Do** have responsibility for whatever else the lease requires, such as snow removal and grass mowing
- **Do** have responsibility for a tenant's personal property if it is damaged by landlord negligence such as damage caused by an electrical wiring fire
- **Do** not have responsibility for making repairs caused by damage done by tenants or others in the rental with the tenant's permission



Tenant Responsibilities

Tenants

- **Do** have responsibility for paying the rent as specified in the lease
- **Do** have responsibility to carry out the other terms of the lease, such as payment for utilities
- **Do** have responsibility for reporting and paying for all damage caused by the tenant or visitors in the rental with the tenant's permission
- **Do** have responsibility for behaving in a way that does not disturb other tenants' peaceful enjoyment of their rentals
- **Do** have responsibility for maintaining smoke and carbonmonoxide detectors by replacing batteries when needed
- **Do** have responsibility for their personal property and should have rental insurance to cover damage to it

Can I get help to pay for an attorney if I need one?

Maybe. The tenant may file an Affidavit of Indigency, which if granted by the court, will waive some court costs. You also can contact Legal Aid of WV at **866-255-4370** or **www.lawv.org** or WV Senior Legal Aid at **800-229-5068** or **www.seniorlegalaids.org** for legal advice.

Can I call someone if I feel discriminated against?

Yes, if you believe your landlord is discriminating against you based on Fair Housing law, call **304-296-6091** for information, to speak to the Housing Advocate or to receive a copy of the *Landlord and Tenants Rights and Responsibilities* manual.

**This fact sheet is a brief overview of the *Landlord and Tenant Rights and Responsibilities* manual.
Alternate formats are available upon request.**

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For more information contact the WV Fair Housing Action Network (WVFHAN)

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