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Tenants' rights focus of Impact Cleveland session

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Impact Cleveland, in conjunction with the Cleveland City Community Development Block Grant program, recently held an informational session on tenants' rights. The purpose of the event was to inform area renters of their rights and responsibilities as tenants.

CDBG grant coordinator Teresa Torbet explained that addressing fair housing and similar issues are one of the CDBG's initiatives.

"I do feel like it is very important for everyone to know their rights, whether it be tenants or landlords, and to be empowered to be good stewards to each other and to the community," Torbet said.

"Dustin (Tommey) with Impact Cleveland, me with the City of Cleveland, and Paul Dellinger with the Housing Authority, partnered last year for one of these workshops and felt like it was important to try and do it every year," he said. "So, we've sponsored a second one and appreciate people turning up for it. "

About nine people were in attendance as Bryan Frye, an attorney with Legal Aid of East Tennessee, offered tips to the small but impassioned audience on defending their rights as tenants in General Sessions Court.

Frye discussed in brief the Uniform Residential Landlord and Tenant Act. URLTA was designed to give renters and landlords a clear set of rules and regulations concerning leases and evictions.

The clarifications in theory provides renters a better means of defending themselves against unlawful evictions, housing discrimination, and landlords who refuse to properly maintain their properties.

Among some of the essential rights that a tenant needs to be aware are as follows:

n A landlord must give you exclusive possession of the property you rent.

n A landlord cannot turn off your utilities while you are living in the house or apartment you rent.

n A landlord cannot lock you out of the rental property or remove your belongings from the property, without first getting a court order.

n A landlord cannot come into the rental property without giving you advanced notice, unless there is an emergency.

n If a landlord refuses to make repairs, the tenant can break the lease and can sue the landlord for damages caused by the landlord's refusal to make repairs (with 14 days written notice).

n If a landlord fails to provide essential services, the tenant can get a court order requiring the landlord to make those services available. The tenant can also buy substitute services and deduct the cost from the rent.

n If a landlord deliberately locks the tenant out of the rental property or turns off utility service, the tenant can get a court order requiring the landlord to turn the utilities on or let the tenant in. The tenant can break the lease and move with 14 days notice.

n If the rental property is damaged by fire or storm so that the tenant can no longer live there, the tenant may move out immediately (with 14 days written notice).

n These rights apply even if you live in public housing or receive Section 8 rental assistance.

Frye also urged tenants to be responsible renters by paying their rent on time and keeping track of payments made by holding on to receipts and checks that have been written.

Not paying rent on time, damaging property, applying for utilities services within in 3 days, and not carefully reading and following the terms of the lease are all ways in which a landlord can be empowered to begin the eviction process.

Frye also advised on how to begin a case in Sessions Court, including how to be prepared to face the judge, court costs, and finding and retaining legal services.

After hearing a lot of people talk about having difficulties with the legal process as tenants, we felt like could help address a need," Tommey said.

"We want to empower them and to be able to know what to do if they are being taken advantage of, but at the same time we are acknowledging that it's not always the landlords fault. There are rights that the tenants have, but there are responsibilities that they have as well."

Tommey explained that this is an issue that he hears about often in Cleveland and offered some ideas on how to find solution in the future.

"There's making the connection between these services and the people that need them and that's what I would call bottom up or grassroots advocacy or grassroots empowerment," Tommey said. "But then there are policies or ordinances, that if they're ever going to be changed to be tougher on landlords, are going to have to be changed from the top down. That's beyond what we're able to do as an organization"

"That in the communities that we serve don't have people who are living in substandard houses and that have leases and those are measurable differences that we can make in the future," he said.

The Legal Aid of East Tennessee Cleveland office is located at 166 North Ocoee Street and is open Monday, Tuesday and Friday from 8:30 a.m. to 5 p.m. For more information on tenants' rights or for help with other legal issues you can go to www.laet.org (<http://www.laet.org>) or call the office at 423-303-2266.