

The Medical-Legal Partnership for Children | Miami Valley

WORKING TOGETHER FOR CHILDREN'S HEALTH

The MLPC is a partnership among: Advocates for Basic Legal Equality, Inc. (ABLE), Legal Aid of Western Ohio, Inc. (LAWO), Dayton Children's Hospital, Five Rivers Health Centers, and the Community Health Centers of Greater Dayton.

YOUR RIGHT TO HEALTHY HOUSING

Are you concerned about conditions in your rental housing?

Are you experiencing any of the following: Mold · Pest infestations – rodents, roaches or other vermin · Peeling paint · Leaking pipes · Unsafe conditions – loose railings and floor boards

Under Ohio law, landlords must maintain rental units in habitable and safe condition. If your landlord fails to make repairs or maintain your rental unit, one option is escrowing your rent.

What does it mean to escrow your rent?

Escrowing your rent means that you pay your rent to the Court instead of your landlord. To do this, you must follow certain steps and file papers with the Court.

Important: If you miss a rental payment, your landlord may evict you. You can only escrow your monthly rental payment with the Court if you are otherwise current in your rent. You cannot escrow your rent with the Court unless you follow certain steps. To escrow your rent, you should:

- » First, be current in your rent. Make sure you are up to date in your rental payments to your landlord.
- » Second, give your landlord notice. You should provide your landlord with written notice of the specific conditions that you would like him/her to repair. You should provide this notice in writing. If you do not know your landlord's mailing address, you may provide him with the notice when he/she collects rent. Be sure to keep a copy of the notice for our records and to prove that you provided the notice. If possible, send the notice by certified mail.
- » Third, wait. After providing notice, you should generally wait thirty (30) days to give your landlord an opportunity to make repairs. If there is an emergency issue, you may wait a reasonable period of time.
- » Fourth, after giving your landlord reasonable time to make repairs, you may file a rent escrow application with the Court. To file the application, go to the Dayton Municipal Court, Clerk of Courts, 301 W. Third St., Dayton, OH 45402. The Clerk's office is located right on the first floor past the revolving doors. Do not forget to bring a copy of the notice/letter you provided to the landlord. The forms require that you verify that you are current in your rent. You must state the specific issues that you need your landlord to resolve. The form also asks for your landlord's address. If your landlord never provided you with his/her address, you should not be required to provide this. Be sure to check your lease agreement for your landlord's address. At the time of filing the rent escrow application you will also provide the clerk with your normal monthly rental payment.
- » Once the case is filed in Court, you should expect to obtain notification from the Court about the case in the mail. You should attend any hearings scheduled regarding the case. The Court may send the case to a mediator who could help negotiate an agreement between you and your landlord. If the Court schedules a hearing, you should be prepared to prove that your landlord failed to maintain your home. You may ask the Judge to order the landlord to make appropriate repairs, end your lease agreement early, or allow you to use the escrow money to make repairs.

Note: Due to the fact that escrowing rent can be a complicated process, it is recommended that you consult with an attorney if possible before withholding any rent from your landlord.



Any legal information provided in this publication is the sole responsibility of ABLE. This publication is intended only as general information and should not be relied on as specific legal advice for any individual case or circumstances. **For legal advice applicable to your individual situation, please ask your medical provider for a referral to the MLPC, contact Legal Aid Line at 1-888-534-1432, or consult with an attorney of your choice.**

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