

## FAILURE TO REMEDY CONDITIONS TENANT TO VACATE UNIT

This letter should be used when a landlord has failed to remedy conditions within a reasonable time period and the tenant wishes to exercise his/her right to vacate the premises.

Date: \_\_\_\_\_

Landlord's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Dear \_\_\_\_\_

On \_\_\_\_\_

I sent you a letter indicating the following conditions existed in my apartment and common areas:

In my letter, I requested that the aforesaid conditions be remedied by \_\_\_\_\_  
The items remain uncorrected.

Under the Ohio Landlord-Tenant Law (Ohio Revised Code 5321.07(B)(3)), I have the right to terminate our rental agreement if I have given you written notice of the aforesaid conditions and you fail to remedy them within a reasonable time. Since you have failed to do so, I am moving out of the premises located at \_\_\_\_\_  
on \_\_\_\_\_.

Please send my security deposit of \$ \_\_\_\_\_  
to me at the following address: \_\_\_\_\_  
\_\_\_\_\_.

Under the Ohio Landlord-Tenant Law, I am entitled to the return of my security deposit within thirty (30) days of the termination of this agreement.

Respectfully,

Tenant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

## HELP!

If you can not afford an attorney, but feel you need legal assistance, you can call:

**Southeast Ohio Legal Services**  
(740) 454-1223

If you have questions about the information in this brochure or you need housing assistance, you are invited to call:

**MUSKINGUM COUNTY FAIR HOUSING**  
401 Main St.  
Zanesville, OH 43701  
(740) 455-7193

**FAIR HOUSING IS MORE THAN  
JUST A GOOD IDEA,  
IT'S THE LAW!**

It is illegal to discriminate against any person because of race, color, religion, sex, national origin, handicap or familial status...

- ✓ in the sale or rental of housing or residential lots
- ✓ in advertising the sale or rental of housing
- ✓ in the financing of housing
- ✓ in the provision of real estate brokerage services

If you feel that you have been discriminated against, you may file a complaint with the following:

**Muskingum County Fair Housing Office**  
(740) 455-7193

or

**U.S. Department of Housing and  
Urban Development (HUD)**

1-800-669-9777 (toll free voice number)

or

1-800-927-9275 (toll free TDD number)

or

**Ohio Civil Rights Commission**  
(614) 466-5928



This publication has been funded by  
**Muskingum County Fair Housing**

# REPAIRS TO RENTALS

How to  
request repairs.  
What to do  
if repairs  
are not made.



## REPAIRS –HOW TO REQUEST AND WHAT TO DO IF REPAIRS ARE NOT MADE

A letter outlining the needed repairs must first be sent to the landlord. Retain a copy of this letter for your records. This letter should be mailed **certified, return receipt requested**. Include photographs of the problem areas, if possible.

If the repairs have not been made within a reasonable period of time, a tenant may contact **Muskingum County Fair Housing, (740) 455-7193** to file a complaint.

A reasonable time period is defined as 30 days, unless the condition is threatening to the tenant's health.

If the landlord does not make the repairs requested by the tenant, the tenant may do one of the following:

1. Deposit all rent with the County Courts office. For the tenant to exercise this option, **THE RENT MUST BE CURRENT** at the time of deposit. The tenant must have a copy of the letter sent to the landlord outlining the requested repairs, along with proof the letter was sent (your return receipt will suffice). We suggest that you telephone the County Courts office at 455-7138 for more detailed information on escrowing rental payments.
2. Ask the court to order the repairs to be made. The tenant may ask that the rent be reduced until the repairs are made, or that rent paid into the escrow account be released to make the necessary repairs; or
3. Terminate the rental agreement with no penalty (after proper notice is given) if the landlord has failed to fulfill his responsibilities.

**PLEASE NOTE:** These actions cannot be taken against a landlord who owns three or fewer rental units and who informed the tenant of this fact in writing at the time of occupancy.

## NOTICE TO REMEDY CONDITIONS

This letter may be sent to a landlord when requesting that repairs be made:

Date: \_\_\_\_\_

Landlord's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_

This letter is being sent to you pursuant to the Ohio Revised Code governing obligations of a landlord, section 5321.04(A). I am requesting that the following repairs be made to the unit I occupy at

\_\_\_\_\_  
Zanesville, OH.:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

I am requesting that the aforesaid conditions be remedied by (30 days from above date).

Under the Ohio Landlord–Tenant Law (Ohio Revised Code 5321.07(A), I have the right to withhold payment of rent to the landlord under the following circumstances:

- 1) If the landlord fails to fulfill any obligations imposed on him by the Ohio Revised Code 5321.04;
- 2) If the landlord fails to fulfill any obligations imposed on him by the rental agreement;
- 3) If the conditions of the premises are such that the tenant reasonably believes that the landlord has failed to fulfill any obligations;

- 4) If a government agency has found that the premises are not in compliance with building, housing, health, or safety codes which apply to any condition of the residential premises that could materially affect the health and safety of an occupant.

I will be depositing my rent payments with the County Courts office if the conditions are not remedied.

Please contact me as soon as possible to discuss when these repairs can be made.

Respectfully,

Tenant's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Keep two copies – one for you and one for the court.

