

# Tenant Rights

## Understanding Your Lease

- Make sure your name is on your lease. Having your name on the lease gives you a right to request repairs and improvements.
- Get a copy of your lease. Most apartment leases in Texas follow one of three common templates. Request a copy of your entire lease from the management office.
- Read your lease and look for important keywords to understand when rent is due and how late fees work.
- If you'd like your lease in a language other than English request a translation from the management office. Since most leases are based on a template, you can find translations online.
- Look for the following information in your lease:
  - Who is responsible for paying
  - When payment is due
  - When a payment is considered late and late fees
  - Parking specifics
  - Utilities

## Security Deposits

- A landlord cannot keep your security deposit to cover normal “wear and tear” that occurred as a result of living in the unit.
- Security deposits can only be kept to fix damages to the unit caused by the tenant that exceed regular wear and tear.
- To get your security deposit write your property manager and provide a forwarding address where your security deposit can be mailed within 30 days of move-out. If the property manager wishes to withhold all or part of your deposit, they will need to provide you with a written accounting listing any damages you are responsible for. Again, these damages must exceed regular wear and tear.

## Repairs

- To have the best chance of getting repairs made, you should submit repair requests in writing and document your experience with the issue by taking photos.
- To make sure that your property manager has received your repair request, send it via certified mail. This costs \$3.50 and can be done at any post office.



- Ask for certified mail, return receipt requested. Once the mail has been delivered and signed for, you will receive a receipt in the mail, keep that receipt! This receipt will be proof that you requested repairs to be made and can be used in court. Also keep a copy of the letter you mailed.
- Upon receiving your written repair request the property manager has seven business days to address the issue.
- If they have not fixed the problem you should call 311 to request an inspection and continue to document the issue.

## Eviction (general)

- Failing to pay rent for any reason can result in an eviction. Do not withhold rent for any reason.
- Landlords cannot evict tenants for six months after a repair request, except for nonpayment of rent.
- An eviction is a legal process. It has to be documented in writing and follows a set timeline. A verbal threat of an eviction is not an actual legal eviction.
- Once you receive an eviction citation, you will be given a court date and time in the documents you are served with. The eviction will be heard in your local Justice of the Peace Court.
- Evictions can move forward whether you attend hearings or not.
- You should arrive in court on time and with any documents relevant to your case, including the lease, notice to vacate, pictures of the premises and all correspondence from the landlord.

