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# RENTAL REPAIR GUIDE

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**How To Request Repairs & What  
To Do If Repairs Are Not Made**

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**Shannon Wells, Fair Housing Director**  
[shannon.wells@morgancounty-oh.gov](mailto:shannon.wells@morgancounty-oh.gov)

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## HOW TO REQUEST REPAIRS

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A letter (form) outlining the needed repairs must first be sent to the landlord. A reasonable time period, defined as 30 days unless the condition is threatening the tenant's health, should be stated in the letter. Include photographs of the problem areas, if possible. This letter should be sent by **certified mail, return receipt requested**. You should keep a copy of the letter (form) for your records and one for the courts.

A letter (form) called NOTICE TO REMEDY CONDITIONS is provided on the following page. Please **cut out and copy the blank form** before filling in your information (in case you need to use the form on the back). And, as stated above, keep two copies of the completed form before mailing it to your landlord by **certified mail, return receipt requested**.

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### Ohio Landlord / Tenant Law

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

- If the landlord fails to fulfill any obligations imposed on him/her by the Ohio Revised Code 5321.04.
- If the landlord fails to fulfill any obligations imposed on him/her by the rental agreement.
- If the conditions of the premises are such that the tenant reasonably believes that the landlord has failed to fulfill any obligation as required by law.
- If the 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.

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If you need legal assistance, you may call:

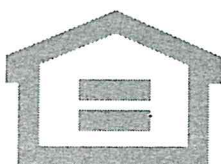
**Southeastern Legal Services**

740-374-2629

1-800-837-2630



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## WHAT YOU CAN DO IF REPAIRS ARE NOT MADE

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If you have sent your landlord a NOTICE TO REMEDY CONDITIONS and the repairs that need to be made to your rental property have not been made by the date indicated on your notice, you (the tenant) may do one of the following:

### **Escrow Rent Payments – Deposit Rent With The Clerk Of Courts Office**

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For the tenant to exercise this option, rent must be current at the time of deposit. The tenant must present the court with a copy of the letter sent to the landlord outlining the requested repairs, along with the return receipt showing the landlord received the letter (completed form).

### **Request The Court To Order The Landlord Make The Repairs**

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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.

### **Terminate The Rental Agreement**

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The tenant also has this option, with no penalty, if the landlord fails to remedy the situation. Proper notice must be given to the landlord within a reasonable time period. Inform the landlord with a letter (form) called FAILURE TO REMEDY CONDITIONS (which is provided on the following page). Please **cut out and copy the blank form**, (in case you need to use the form on the back), before filling in your information. Remember to keep a copy of the completed form before mailing it to your landlord by certified mail, return receipt requested.

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*Please note:*

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



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## NOTICE TO REMEDY CONDITIONS

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

Landlord's name: \_\_\_\_\_

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

Dear \_\_\_\_\_ :  
(Landlord's name)

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:

Tenant's address: \_\_\_\_\_  
\_\_\_\_\_

Items to be repaired:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

I am requesting that the aforesaid conditions be remedied by:  
\_\_\_\_\_ (30 days future).

I will be depositing my rent payments with the Clerk of 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: \_\_\_\_\_

Phone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

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## FAILURE TO REMEDY CONDITIONS

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

Landlord's name: \_\_\_\_\_

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

Dear \_\_\_\_\_ :  
(Landlord's name)

I sent a letter on \_\_\_\_\_ indicating that the  
(Date)  
aforesaid conditions be remedied. A deadline of \_\_\_\_\_  
(Date)

was given and as of today, these 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:

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

on: \_\_\_\_\_  
(Date)

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

\_\_\_\_\_  
\_\_\_\_\_

Respectfully,

Tenant: \_\_\_\_\_

Phone: (H) \_\_\_\_\_

(W) \_\_\_\_\_





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## **FAIR HOUSING—IT'S NOT AN OPTION, IT'S THE LAW**

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It is illegal to discriminate against any person because of race, color, national origin, ancestry, gender, religion, physical or mental disability, or familial status (the presence of children under the age of 18 or a pregnant female) in the:

- sale or rental of housing or residential lots,
- advertising the sale or rental of housing,
- financing or insuring of housing, or
- provision of real estate brokerage services.

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If you have any questions about the information in this brochure, or feel that you may have experienced discrimination in obtaining housing, you may contact:

**Ohio Civil Rights Commission  
Columbus Regional Office**  
614-466-2785 • 1-888-278-7101  
614-466-5928 (Voice/TTY)

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**Or, for more information please contact:**



### **Morgan County Fair Housing**

Shannon Wells, Fair Housing Director  
Riecker Complex  
155 E. Main Street, Room 205  
McConnelsville, Ohio 43756  
740-962-1322

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This brochure is intended to provide general information only. Specific questions should be addressed to the above or an attorney.

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