

RENTER'S RIGHTS AFTER A DISASTER



1. Can I get out of my lease if my home is damaged?

If your lease says you can or if you cannot live in any part of your home because of damage, you can cancel the lease. If you cannot live in any part of your rental unit, you must give your landlord a written notice that you are canceling your lease. You should also request in writing a refund of your security deposit and any pre-paid rent from your landlord.

2. Does my landlord have to lower my rent if my home is damaged?

No. You cannot reduce your rent unless your landlord agrees or your lease gives you that right. Talk to your landlord and work out a deal. If you cannot, then you have the right to file a lawsuit and seek a court order reducing your rent.

3. What do I do if I lost my job because of the disaster and cannot pay rent?

If you do not pay rent your landlord can give you a notice to move. Your landlord may later file an eviction case against you. If your rent is subsidized by the government, you are entitled to have your part of the rent reduced. You should contact the agency that helps you with your rent to get a reduction.

4. Can my landlord make me move immediately if I can live in my home?

No. A landlord can only make you move by giving you a notice telling you to get out by a certain date and then filing a law suit after that date. You cannot be evicted without reason. If your lease is expired, your landlord may be able to force you to move by giving you a 30 day notice. If your landlord locks you out and refuses to give you a key, contact your local justice of the peace. The justice of the peace may order your landlord to immediately unlock your door by signing a "writ of re-entry."

5. Can my landlord make me move so they can make repairs?

If you can still live in the home, you do not have to move until the lease is over. If you have a written lease, it may cover this situation. If not, your landlord can only make you move if your home is not safe to live in. The landlord can move you temporarily while making extensive repairs, but must move you back if your lease is not over.

6. What do I do if I am served with an eviction lawsuit?

Carefully read the papers and be sure to show up to tell your side of the story. You have the right to represent yourself or you can call Lone Star Legal Aid for information or to represent you. In some types of eviction cases you can take a friend to help. Even if you lose in Justice of the Peace Court, you have the right to appeal.

If you have questions about your rights as renter, call Lone Star Legal Aid at:
713-495-1951 (Issue date 9/12/11)