

COMMON RENTING ISSUES

What should I do BEFORE I sign the lease?

Before you sign the lease you should read it carefully and have it reviewed by an attorney at the Legal Assistance Office. The lease is a legally binding contract between you and the owner/property manager. The lease explains your rights and responsibilities. It is important that you understand what you agreed to.

Should I request a walkthrough of the property with the landlord before I sign?

Yes. You want to document any issues with the property so when it comes time to move out, you are not responsible for those specific issues. It is difficult to determine when damage to the property occurred unless you have documentation to prove that the damage was present before you moved in.

How do I request repairs?

While you can call the landlord for repairs, the best practice is to make your repair request in writing. This can be done by letter or email. Written repair requests are a formal way of documenting what you need fixed and when you asked for the repair. Plus – many leases now require that all repair requests be made in writing.

Can I break my lease or stop paying rent if Housing does not make the repair?

It depends. Before you break your lease you should meet with an attorney at the Legal Assistance Office. There are very limited circumstance in which you may be able to break your lease. The consequences can be severe if you wrongly break your lease. You should talk to an attorney first.

Can I break my lease or stop paying rent if my house has mold?

This is a very complicated issue. If you believe that your home has mold and that the mold has harmed you or your family you should contact a private attorney to discuss your rights. The Legal Assistance Office can give you a list of local attorneys.

My property was damaged by mold (or some other incident) what can I do?

You may be able to make a Personnel claim for property damage. These claims are for property damage only. To make a personnel claim for property damage you can contact Personnel Claims at (502) 626-3000 or email at usarmy.knox.hqda-

otjag.mbx.cpcs@mail.mil. To file a claim online go to <http://www.jagcnet.army.mil/Pclaims>.

What do I do if the landlord is not addressing my repair request?

Legal Assistance may be able to help you talk to landlord about your repair request.

I have orders to PCS, can I break my lease early?

Yes. If you have military orders or you have PCS orders (including ETS orders) you can terminate your lease early. You must give landlord a written notice of your intent to end the lease early and a copy of your orders or a memo from your Command. Legal Assistance can help you write the letter.

Can Housing contact my Chain of Command if I owe them money?

No. Housing cannot contact your Chain of Command about an alleged debt. Debt collectors are prohibited from contacting third parties about debt, except for the purpose of trying to get debtors contact information.

If you have questions, please contact the Legal Assistance Branch of the Office of the Staff Judge Advocate located at Building 358, Defense Language Institute, Presidio of Monterey (831-242-5084 or DSN 768-5084).