

## Common Housing Issues

Recognizing that landlord/tenant issues can be overwhelming for Soldiers, it is important to know where you can go for help. The Legal Assistance Office helps eligible clients by explaining the lease and negotiating disputes. However, there are things that Tenants can do to try to avoid hassles with their housing.

The two most important things a Tenant can do is look at the home they are going to rent and make sure they understand the lease before signing. Tenants should not sign a lease until they have seen the exact home they will be renting. Previewing the home gives the Tenant the chance to see if repairs are needed before committing to the lease. Additionally, Tenants should understand the lease **BEFORE** they sign. The lease is a legally binding contract between the Tenant and the Landlord. It explains each party's rights and responsibilities. Tenants should assume that they are responsible for all of the terms in the lease, unless otherwise agreed to in writing. Tenants should also be aware that verbal agreements do not change the lease.

If issues arise, Tenants should know their left and right limits. For example, Tenants should make all repair requests in writing. Written repair requests are a formal way of documenting what you needed fixed and when you asked for the repair. Plus – many leases require that repair requests only be made in writing. A common repair issue is the presence of mold. Tenants whose property was damaged by mold may be able to make a Personnel claim for property damage. To make a personnel claim for property damage Tenants can contact Personnel Claims at (502) 626-3000 or email at [usarmy.knox.hqda-otjag.mbx.cpcs@mail.mil](mailto:usarmy.knox.hqda-otjag.mbx.cpcs@mail.mil). To file a claim online go to <http://www.jagcnet.army.mil/Pclaims>. If a Tenant believes mold has harmed them or their family, they should contact a private attorney to discuss their concerns. Tenants are never allowed to simply withhold rent.

Tenants are encouraged to consult with the Legal Assistance Office *before* making their own repairs, ceasing payment of rent, or breaking their lease. Additionally, Tenants should seek legal advice if a Landlord is threatening to contact his/her Chain of Command. Tenants should also keep their chains of command apprised of ongoing issues, such as unresolved repair requests, to increase situational awareness. There are a very limited circumstances in which a Tenant may be able to break their lease. However, the consequences can be severe if a Tenant wrongly breaks their lease.

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).