

SPECIAL REPORT: Renter's Rights

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MONTGOMERY, AL (WSFA) - It's like buying a home without many of the financial strings attached. In this economy, renting is a popular choice.

US Census estimates show 103,867 people in the Montgomery metropolitan area live in rental units. According to these figures, that number accounts for nearly a third of the population in housing units.

Carmen Youland was a tenant. After 18 months in a place she says was barely livable, she moved out.

After signing her lease and moving in, Youland found damage throughout her mobile home.

"It stated in the lease that this would be repaired and it never was," she explained.

After asking repeatedly to have the water logged carpet replaced, Youland took matters into her own hands.

"I was willing to do what I could to make a home, especially for my children," she explained.

Youland's dilemma highlights a bigger problem. For years, renters were left vulnerable in these kinds of cases. Generations of law protected the property owner.

This all changed in 2006, when the state legislature passed a law giving protection to tenants. Advocacy group Alabama Arise helped push the bill.

"We now are like most states in having some basic rights and responsibilities of landlords and a tenant," explained Kimble Forrister, the group's state coordinator.

The law provides protections that apply with or without a written lease, according to Forrister.

Rule #1: No matter what, you have the right to a *livable dwelling*.

"The basic standards of providing heat, and water," Forrister explained.

"Windows can't be broken. Doors have to be able to lock."

The property has to at least be up to code. Be sure to get the owner to acknowledge any problems.

"It's sort of like when you rent a car. You want to make sure they note there was a scratch over here. It's the same kind of principle," said Larry Gardella, Director of Advocacy for Legal Services Alabama.

Above all, experts say to study your lease. Don't sign without reading and understanding every word.

"You want to just understand what your responsibilities are going in. What your situation's going to be," Gardella explained.

Remember: once you sign, your landlord can't raise your rent or make other changes during the term of your lease.

That's not necessarily a bad thing.

"The relationship between the landlord and the tenant--there should be one because you have to be able to talk and communicate," explained Verlinda Boswell, a longtime landlord.

If talking just *doesn't work out*, don't rip up your rent check. That's one of the biggest mistakes you can make as a tenant.

"You have rights if your landlord's not doing what he should be doing, but those rights don't include failing to pay your rent," Gardella advised.

Keep up with your payments.

If the landlord isn't holding up his end of the bargain,"you have the option of ending the lease," Forrister explained.

However, you need to give two weeks notice that you're planning to leave.

"If you don't give the written notice, and you leave anyway, you're really subjecting yourself to a lot of risk you don't want to have to go through," Gardella explained.

Also, landlords *aren't* allowed to simply hold on to your deposit.

"Unless you've broken something--unless you've left a mess, you're supposed to get that deposit back in a timely manner," Forrister said.

Don't forget, renters have *responsibilities* along with their rights.

"The tenant has to leave the home in the shape that you gave it to them," Boswell explained.

Property owners have their share of horror stories as well--ranging from nonpayment of rent to footing the some of the tenant's bill.

"Their responsibilities are putting the utilities in their name. What has been happening over the last few years is they're not doing that," Boswell said.

Either extreme--fault of the tenant or landlord--can result in a court case, so establishing a relationship is key before you sign your name on the line.

"If you have someone that's your landlord that you can't talk to, then you don't need to move there," Boswell advised.

A few words of wisdom troubled tenants take to heart.

"Renters have rights in the state of Alabama. It took this for me to look them up, but I know renters have rights," Carmen Youland explained.

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