



KNOW YOUR LEASE



UNDERSTAND THE LEASE

The lease is crucially important. Rights and responsibilities of both the tenant and the landlord are within the lease agreement. A violation by the tenant of any of the stipulations in the lease agreement will terminate rights. This may cause the tenant to be liable for rent payments and any damages. Thoroughly read the lease and make sure you comprehend all sections before signing it. Once signed the lease becomes valid and cannot be terminated easily.



Modifications

Lease modifications are permitted by Texas State Law before signing it, as the landlord agrees to making changes. It is recommended for changes to be written out in ink on the lease agreement with initials by the tenant and the landlord. Thereafter, the tenant must get a copy of the final lease before leaving.

Modifications before end-of-lease

Modifications during the lease term are not allowed without the consent of both tenant and landlord. Any agreement between these two needs to be written with signatures and dates. Copies of these documents must be given for records. If no agreement is made, both parties must follow the stipulations on the original lease agreement.

Copy of the Lease

Landlords are required by Texas State Law to provide a copy of the lease to at least one of the residents on the lease agreement. This must be done within three days of the lease being signed or three days from the date that the tenant requests a copy of the lease. Compliance is met if the lease is sent via mail, email or other forms agreed between the landlord and tenant.



PAYMENTS AND FEES

Landlords can alter the amount of rent due. No limitations are in place for increases if proper notice is given and if the lease is expired or about to come to an expiration. There will be additional fees and rent rates if the lease agreement is not renewed (month-to-month rate).

The due date for rent is stipulated in the lease, typically, on the first of each month. Late payments sometimes accrue a fee. Make sure to check the lease for fee amounts. Always keep receipts for all payments particularly if payments are in cash.



Right-To-Enter

The lease stipulates the terms in which the landlord/management has right to enter the unit. Assume they have no right to enter unless it is stated on the lease, with the exception of emergencies, routine inspections or repairs (with prior notice).

Repairs

Always check the lease for repair terms. In Texas, it is the landlord's duty to repair or remedy most conditions in an apartment unit that affect's a tenant's health and safety, If they follow the proper procedure to request the repairs. The landlord, however, does not have any obligation to make repairs to anything that was damaged through abnormal use. The law does not require a landlord to repair a condition that does not affect a tenant's health and safety.

Visit the Tenant Education Website for more information on Repairs. Available on the Apartment Checklist Document.

Parking Regulations

Parking regulations and towing information can be found within the lease agreement. The landlord is required to provide information on parking regulations. If changes to the regulations occur during the lease term, the landlord must provide a copy of new changes. Changes are allowed to the regulations as long as there is proper notice and proper justification (security, safety, etc.).



Tenants & Guests

There are "Fair Housing" laws in place that prevent discrimination to tenants with children. It is against the law for a landlord to refuse rental due to children. The state law allows for up to three adults per bedroom of unit. HUD determines that a policy of two adults per bedroom is also acceptable.

Guests are allowed and typically cannot be limited by the landlord as long as they do not disturb other residents. If guests are staying for more than a few days (extended period of time), get consent from the landlord in order to avoid violation of the lease regarding occupants in the unit.



TENANT EDUCATION

For more information and tenant education documents, visit the At-Large 4 Tenant Education website by scanning the QR code.

This resource is brought to you by Council Member Letitia Plummer, At-Large 4

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