

10 things to keep in mind when renting

(ARA) — Rent vs. own? More Americans are wrestling with that question as the economy continues its slow recovery. Even though homes are selling at record lows, many Americans are choosing to rent instead, maintaining their mobility and financial flexibility until the economy, as well as their job prospects, improve.

More than 38 million people currently rent their primary residence, which represents about one-third of total U.S. residences, according to the U.S. Census Bureau.

Every renter should become familiar with these 10 tips from FindLaw.com:

■ **Know your rights.** It is illegal for a landlord to refuse your rental application for discriminatory reasons such as race, sex, color, religion, class, etc. If your application to rent an apartment is rejected, you have a right to know why. Landlords cannot say an apartment is unavailable if it isn't or use a different set of rules for assessing different applicants.

■ **Background checks.** Landlords want responsible, trouble-free tenants. To aid them in selecting a renter, they can use background checks and credit reports to learn about a prospective tenant's credit worthiness and potential criminal record. If you're dealing with these issues, it's often a good policy to be upfront with the landlord about any problems that may be revealed during a background check to gain the trust of the landlord.

■ **What should be included in the lease or rental agreement?** A lease can be wordy, but make sure that it has these important aspects: length of tenancy (month-to-month, one year or another period of time), amount of rent and deposits the tenant must pay, the number of people who can live on the rental property, who

pays for utilities, whether the tenant may have pets, whether the tenant may sublet the property, and the landlord's access to the rental property.

■ **Keep a written copy.** While most states honor a verbal agreement, they are more likely to cause a dispute. Findlaw.com recommends getting your lease agreement in writing and using it as a reference for any complications that happen during your time as a tenant. If a landlord offers any additional benefits for renting, make sure those are spelled out in the rental agreement.

■ **Call the landlord with a maintenance problem.** Usually the landlord is responsible for all maintenance issues. Document the problem by writing down the date it started and taking pictures if necessary. In some agreements, landlords need to respond to the maintenance issue, so refer to your lease for specifics. If they don't respond, typical options include withholding a portion of rent until the problem is fixed, paying for the repair yourself and deducting the amount from your rent, or abandoning the property altogether without liability. Check the laws in your state.

■ **Noisy neighbor.** One of the biggest hassles of renting is dealing with a noisy neighbor. If your neighbor is disturbing you, notify your landlord. In most leases, tenants agree to be respectful of those around them. It's also a good idea to use your landlord as a third-party enforcer to preserve the relationship between you and your noisy neighbor.

■ **Safety first.** In many states, landlords must provide minimum safety equipment such as peepholes, deadbolts, window locks and safety glass. If your landlord promises certain safety features, make sure he or she follows through on those promises. Ask other neighbors about the security and safety of the area before renting an apartment.

■ **Get renter's insurance.** Renter's insurance is relatively cheap and will protect you where your landlord's insurance won't. If you suffer losses due to theft or damage or are sued by someone who alleges they were injured in your rental because of your negligence, renter's insurance can cover you and save you from a large financial loss.

■ **Preserve your security deposit.** Security deposits are one of the most disputed items between landlord and tenants, so make sure that your lease clearly spells out the exact manner in which your deposit will be used or withheld. When you first move in, do an extensive walk-through to record existing damage and keep a copy of whatever report you give to the landlord.

■ **Handling an eviction.** It's hard to decide how to handle an eviction. If you can prove that the landlord was wrong, then it may be worth it to fight against the eviction notice and protect your rights as a tenant. Sometimes, it's not worth the fight even if you win. Remember that in some cases you will still have to continue to deal with the same landlord.