

Getting REPAIRS Made

Note: Information provided by the Community Alliance of Tenants is for general educational use only. It is not a substitute for the advice of an attorney.

Under Oregon law, landlords have to keep their rental units in good condition (ORS 90.320). In the City of Portland, there is also a city housing code that requires a building to be kept in good condition. If the landlord is not doing repairs there are some steps you can take.

- 1) Fill out repair request forms (you can make your own if needed), and send them to the landlord. Fill out as many as needed. *Make sure you keep a copy of each request!*

NOTE: If you make a repair request in writing, the landlord can enter your home without notice for 7 days after your written request in order to make the repair. You have the right, however, to restrict their access to your home to reasonable times. Put any restrictions in writing.

- 2) If you are not getting a response write a letter to your landlord asking that he/she respond in writing to let you know when they will complete the repairs. Give them a deadline to respond (for example 10 days if non-essential). Send your letter with a certificate of mailing (this is a receipt that proves you mailed something)- **NOT** by certified mail (your landlord could refuse to sign that they received it). *Keep a copy for your files.*
- 3) Write a follow-up letter if you do not hear from the landlord. Shorten the deadline (to 5 days or less). State that you will pursue legal remedies under the law and/ or in the City of Portland. Again, get a certificate of mailing for the letter and *keep a copy for your files.*
- 4) If your repairs are still not completed, **and** if you live within the City of Portland, you can call the Bureau of Buildings (the agency that enforces the city housing code) at 503-823-7306. An inspector will examine your unit and write up code violations. They will send a letter to your landlord and will fine her/him if they do not fix the problems within 30 days. The system is complaint driven, so make sure to call back if 30 days pass, and again after 6 months, and before you move if the problem isn't fixed. If your building has already been cited before you moved in and your landlord rented it to you without fixing the problems, you might be entitled to two months rent or twice the actual damages. Call the number above to check if it was cited before you lived there, or go to www.cgis.ci.portland.or.us/maps/bds/ A few other Oregon cities have building inspectors as well. Check your phone book. *Keep a copy of the report for your files.*
- 5) You can ask/sue for reduced rental value. See our handout for more details.
- 6) If you are still having repair problems, you should contact an attorney who can assist you in taking further action.

NOTE: CAT does not recommend withholding rent or deducting repair costs from rent as a means to getting repairs done if you are not being represented by an attorney. Both actions are risky and complicated and might leave you vulnerable to eviction for non-payment of rent. An attorney can also talk to you about collecting money for the time your place was not in good repair.

General Tips

TALK TO YOUR NEIGHBORS! Often repairs are needed in many units. If tenants advocate together for repairs to get done, it is harder for your landlord to ignore requests, or to single a tenant out for retaliation. You can also write your repair letters together.

DOCUMENT! DOCUMENT!! DOCUMENT!!! It is illegal for the landlord to retaliate or try to get back at you for standing up for your rights. While it is illegal, retaliation can be difficult to prove, so documentation is so important. Create a log or diary to document the problems with your home, the landlord's response to your requests (if any), any verbal conversations, when the problem started, etc. Make sure to include dates and times where at all possible. Take photos and/or video the problem if possible as well, use old photos that document the problem even if they were taken for some other reason. Ask a friend to look at the problem so they could be a witness if needed. Save copies of EVERYTHING you send to or get from the landlord.