

How to Get Your Landlord To Make Repairs

...

Rent Escrow

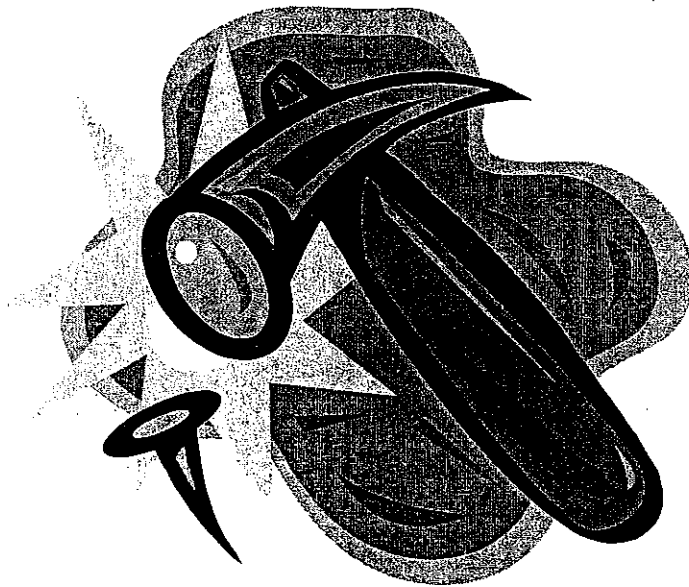


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HOW TO GET YOUR LANDLORD TO MAKE REPAIRS

If you want your landlord to fix something, you **must** follow the rules set out in the law. If you do not follow these rules carefully, you could be evicted for nonpayment of rent.

Residential landlords have a duty to fix:

- ① Any problems with the housing that "materially affect" your health and safety" and violate local building, housing, or health and safety codes. (Such as: broken windows, roof leaks, peeling paint and plaster, mice, rats, roaches, rubbish in yard, lack of smoke detector or smoke detector)
- ② Any problems with the housing that make it unliveable.
- ③ Any defects in the hallway or stairway that could pose a danger to you or your guests. (Such as: bad lighting in hallway or loose stairway bannister)
- ④ Any electrical, plumbing, sanitary, heating, ventilating, or air conditioning systems that are not working properly and pose a danger to you or your guests. (Such as: unsafe gas or electric heaters and appliances)
- ⑤ Plumbing or heating systems that are not working properly, leaving you without running water, hot water, or adequate heat - for any period of time.
- ⑥ Broken and unuseable garbage cans. (that are shared by four or more apartments in the same building)

If you ask your landlord to fix any problems or defects and he does not fix them, do the following things:

First . . .

Give a written notice or letter to the landlord. You can use the fill-in-the-blank notice which is provided with this packet of materials or write your own. The notice should:

- ① Tell in detail each problem you want fixed (the list should be specific, so that the landlord can use the list to fix each problem).
- ② Tell the landlord that he or she should fix minor problems within 30 days and major problems (emergencies such as lack of heat in winter) within 5 days.
- ③ Tell the landlord what you will do if he or she does not fix the problems within 30 days, either:
 - end your lease and move within 30 days from the date of the notice, or
 - deposit your rent with the court AND
 - ask the court to order your landlord to make the repairs and lower the rent that you owe because you are living with the inconvenience of this defect/problem
 - OR
 - ask the court to order your landlord to give you part of the rent money deposited with the court so that you can make repairs yourself.
- ④ Sign, date, and make a photocopy of the notice (you may need to give a copy of the notice to the court at a later date).
- ⑤ Deliver the notice to you landlord in person or by certified mail to the place where rent is normally paid. If you deliver the notice in person, bring a friend with you to witness the delivery. If you deliver the notice by certified mail, save the receipts.

Second . . .



In addition to writing a notice, if you think the defect or problem violates your local building, housing, or health and safety code, call the Housing Inspector or the Health Department for your town, city, or county. Ask that they inspect your apartment, write a report, and give you a copy of that report.

Third . . .



Wait until 30 days after you have delivered or mailed the notice, if your landlord still has not made any repairs, you can go to the court for help.

For most defects, you must wait until this 30 day period has ended before you can go to court.

If the problem is serious (lack of heat or hot water in the winter or no running water or electricity), you only have to wait a reasonable time (5 days) before you can go to court.

CAUTION: Any rent that comes due within 30 days after delivery of the notice, **must** be paid to your landlord! If not, you will lose your claim in court and could be evicted for failure to pay rent.

EXAMPLE If rent is due on the first of every month and you deliver your notice of defects/problems to your landlord on September 15, 30 days later would be October 15. The next month's rent is due on October 1 which is before October 15, so you will need to pay October's rent to your landlord on Oct 1. Then you can deposit November's rent with the Court on or after October 15th.

Fourth . . .



After 30 days have ended and on or sometime before the day that your next rent payment is due, go to the city courthouse with the full amount of next month's rent, a copy of the notice given to your landlord, and a copy of any certified mail receipts. Find the clerk of courts window or desk and tell the person at the desk that you want to "place your rent into escrow with the Court".

→ In some courts, the clerk will give you an "*Application by Tenant to Deposit Rent with the Clerk*". In the application, you must show that you sent a notice to your landlord and are current in your rent. A sample copy of a completed application is contained in this packet.

- ① Fill in the application and give it to the person behind the desk, with your rent money. Courts in Ohio do different things at this point.

Some courts will take your money with the application and put it into a special account set aside for rent escrow.

Some will not allow you to deposit money until the judge has approved your application. Call the court each morning and ask if your application has been approved. When it is approved, bring your rent money to the court and they will put it into a special account set aside for rent escrow.

- ② Be sure to get a receipt for the deposit and a copy of the completed application.

→ In other courts, the clerk will simply take your money and a copy of the notice and certified mail receipts. Once again, be sure to get a receipt.

What Happens After Rent is Deposited With the Court

Ask the clerk of court what will happen next and what you need to do to get a hearing before the court.

- ① In some courts, a copy of the application will be sent to your landlord and the clerk will automatically set a date for a hearing. (Depending upon your court, this hearing could be in court or set for mediation). The court will send you a paper letting you know the date of your hearing. If you do not hear from the court within 10 days, call to see what has happened or go to step 2.

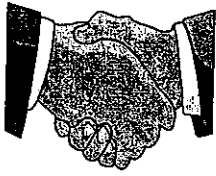
- ② If a hearing is not automatically set, you should file a "*Motion for Rent Abatement and Order to Repair*" at the same time that you deposit rent with the court. You can use the fill-in-the-blank motion which is provided with this packet of materials or prepare your own. Follow the instructions which are included in this packet. In the motion, you can ask for the following things by checking the proper boxes:
 - A court order requiring your landlord to make the requested repairs
 - A court order allowing you to pay less in rent until repairs are made.
 - A court order allowing you to use the rent deposited to make the repairs yourself.



What to do when your next rent payment comes due? Pay it to the Clerk of Court! This is very important. Remember, every time your rent is due, you must pay it to the Clerk of Courts and get a receipt showing that you paid. Save the receipts. If you do not pay your rent to the court on the date it is due, you risk losing your case.

What to do when your landlord fixes everything you complained about? Stop paying your rent to the Court and begin paying it to your landlord. *****

MEDIATION:



Voluntary process where landlord and tenant meet in the presence of a third person ("mediator") to see if they can come to some agreement. You do not have to participate in mediation, but you should consider going. If your landlord does not show up for mediation, you can reschedule or ask for a court hearing. If your landlord does show up and you both reach an agreement, it will become final and the case will come to an end. If you do not reach an agreement, the case will be set for a hearing before the judge.

COURT HEARING:



What to bring with you:

- ① a copy of the notice sent to you landlord and any certified mail receipts,
- ② any witnesses who came with you when you delivered the notice or have seen the defects or problems that need repair,
- ③ a copy of the receipts showing that you deposited money with the court,
- ④ any photographs or documentation that you made of the defects or problems that need to be fixed, and
- ⑤ any reports from building or health department inspectors.

What happens: At the hearing, each side is given a chance to tell their side of the story to the judge. Then the judge will make a decision - either giving the rent to your landlord or ordering your landlord to make repairs and/or that your rent be lowered until such repairs are made. When the judge asks you to proceed, tell him or her the following:

- ① your name and that you are a renter;
- ② the address of the place that you rent and how long you have rented there;
- ③ the name of your landlord;
- ④ the problems or defects that you are complaining about (show photos if you have them) and how these problems threaten your health or safety and have caused you inconvenience;

- ⑤ that you told your landlord in writing what these problems are and the date on which you delivered such notice (if you had a witness to the delivery ask the witness to state their name and tell that they went with you to make the delivery);
 - ⑥ that thirty days have passed since you delivered that notice and your landlord has yet to fix these problems,
 - ⑦ that you are current in your rent;
 - ⑧ that you have deposited rent with the court and for how many months you have done this;
 - ⑨ that you are asking the court to order any or all of the following: your landlord to make repairs, rent abatement (reduction of your rent by a certain amount until the landlord makes the necessary repairs), or use of rent money to make repairs yourself.
-

Win or lose, pat yourself on the back.
You have successfully represented yourself!



Don't forget to fill out the evaluation form contained at the end of this packet and send it to the address listed. We need to hear from you. Tell us what you thought was helpful or not so helpful about this packet.

Instructions for Completion of Notice of Landlord's Breach of Obligation

USE A BLUE OR BLACK PEN TO FILL IN ALL COURT FORMS. PRINT NEATLY AND CLEARLY. THE COURT WILL NOT ACCEPT YOUR PAPERS IF THEY ARE SLOPPY OR CANNOT BE EASILY READ.

AFTER YOU FILL IN THIS FORM, MAKE TWO COPIES FOR YOURSELF. KEEP ONE OF THESE COPIES FOR YOUR FILES AND THE OTHER WILL BE GIVEN TO THE COURT. DELIVER THE ORIGINAL COMPLETED NOTICE TO YOUR LANDLORD IN PERSON OR SEND IT BY CERTIFIED MAIL TO THE ADDRESS WHERE YOU NORMALLY PAY YOUR RENT.

At the ❶ print your name (first and then last) and address where you currently live (street, city, state, zip code).

At the ❷ print your landlord's name and current address.

At the ❸ print the address of the property you are currently renting.

At the ❹ write the date (day, month, and year) by which you need emergency problems (lack of heat or hot water) to be repaired. Five days from the date you are giving this Notice to your landlord is normally sufficient.

At the ❺ list the emergency problems that need to be repaired immediately.

At the ❻ write the date (day, month, and year) that is 30 days from the date you give this Notice to your landlord.

At the ❼ list the nonemergency problems that need to be repaired before this thirty day period is up.

At the ❽ write the name of the Court where you will deposit your rent.

At the ❾ sign your name.

At the ❿ write the date (day, month, and year) on which you delivered or mailed this Notice to your landlord.

Notice of Landlord's Breach of Obligation

To: _____ **①** _____

(name and address of landlord)

From: _____ **②** _____

(name and address of tenant)

This Notice is to inform you that you have breached you obligations under O.R.C. §3733.10 or §5321.04 and our rental agreement, as the owner/agent or park operator of the dwelling located at:

_____ **③** _____

The following conditions need immediate attention and must be corrected by _____ **④** _____. (Fill in blank with any reasonable amount of time. This is only meant to be used in emergency situation such as having inadequate heat or hot water in the winter).

- | | |
|-------------------------|----------|
| 1. _____ ⑤ _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

The following conditions must be corrected within thirty (30) days on or before _____ **⑥** _____.
(30 days from date mailed)

- | | |
|-------------------------|-----------|
| 1. _____ ⑦ _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

If the necessary steps are not taken to correct the above conditions within the time periods indicated above, I will do one or more of the following:

1. Deposit my rent money with the Clerk of _____ ⑧ _____ Court.
2. Apply for a court order directing you to correct the above conditions.
3. Apply for a court order reducing my rent until you correct such conditions.
4. Apply for a court order permitting me to use the rent money to correct these conditions.
5. Terminate our rental agreement pursuant to O.R.C. Section 5321.07.

_____ ⑨ _____
(Tenant's Signature)

_____ ⑩ _____
(Date mailed or delivered to Landlord)

Notice of Landlord's Breach of Obligation

To: _____

(name and address of landlord)

From: _____

(name and address of tenant)

This Notice is to inform you that you have breached your obligations under O.R.C. §3733.10 or §5321.04 and our rental agreement, as the owner/agent or park operator of the dwelling located at:

The following conditions need immediate attention and must be corrected by _____ (Fill in blank with any reasonable amount of time. This is only meant to be used in emergency situation such as having inadequate heat or hot water in the winter).

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

The following conditions must be corrected within thirty (30) days on or before _____:
(30 days from date mailed)

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

If the necessary steps are not taken to correct the above conditions within the time periods indicated above, I will do one or more of the following:

1. Deposit my rent money with the Clerk of _____ Court.
2. Apply for a court order directing you to correct the above conditions.
3. Apply for a court order reducing my rent until you correct such conditions.
4. Apply for a court order permitting me to use the rent money to correct these conditions.
5. Terminate our rental agreement pursuant to O.R.C. Section 5321.07.

(Tenant's Signature)

(Date mailed or delivered to Landlord)

**Instructions to Assist Completion of
Application by Tenant to Deposit Rent with the Clerk**

USE A BLUE OR BLACK PEN TO FILL IN ALL COURT FORMS. PRINT NEATLY AND CLEARLY. THE COURT WILL NOT ACCEPT YOUR PAPERS IF THEY ARE SLOPPY OR CANNOT BE EASILY READ.

AFTER YOU FILL IN THIS FORM, STAPLE TO THE BACK OF THE FORM, A COPY OF THE NOTICE LETTER THAT YOU SENT TO YOUR LANDLORD TELLING HIM/HER OF THE PROBLEMS AND HIS/HER OBLIGATION TO MAKE REPAIRS.

MAKE FOUR COPIES OF THE FORM AND THE ATTACHED NOTICE. GIVE ALL COPIES TO THE CLERK OF COURT. THE CLERK WILL STAMP ALL THE COPIES, FILL IN THE BOTTOM PART OF THE FORM ENTITLED "NOTICE TO LANDLORD OR AGENT", RETURN ONE COPY TO YOU, AND SEND A COPY OF THE FORM TO YOUR LANDLORD. MAKE SURE THAT YOU GET A COPY OF THE COMPLETED APPLICATION!

Application by Tenant to Deposit Rent with Clerk

At the ❶ write the name of the Court where you have escrowed your rent.

At the ❷ write the name of the County in which the Court is located.

Leave ❸ blank - the Clerk will fill in a case number for you.

At the ❹ print your name (first and then last) and address where you are currently living or can be reached (street, city, state, zip code).

At the ❺ print your landlord's name and current address.

At the ❻ write the phone number where you can currently be reached.

At the ❼ write a phone number where your landlord can currently be reached.

At the ❽ write today's date.

At the ❾ sign your name.

Affidavit in Support of Application

2. Put a check mark on one of the two lines. If you gave written notice to your landlord check the first line, if you were unable to give written notice, check the second line.

3. At the ⑩ write the amount of rent that you pay each month. At the ⑪ write the date of the month on which your rent payments are due.

At the ⑫ write the date of the month on which you completed this form.

At the ⑬ write the month in which you completed this form.

At the ⑭ write the year in which you completed this form.

At the ⑮ sign your name.

Leave ⑯ and the bottom part of the form (Notice to Landlord or Agent) blank and the clerk will fill it in for you.

In the _____¹_____ County Municipal Court
_____²_____, Ohio

Application by Tenant to Deposit Rent with the Clerk

Case No. _____³_____

Name and Address of Tenant

Name and Address of Landlord or Agent

_____⁴_____

_____⁵_____

Telephone No: _____⁶_____

Telephone No. _____⁷_____

By filling out this form, I am applying to deposit all rent that is currently due and becomes due to my landlord, with the Clerk of the captioned Court. (O.R.C. §3733.10 or §5321.07(B)(1)).

Date _____⁸_____

Signed: _____⁹_____

Affidavit(Information) in Support of Application

The following facts are true to the best of my knowledge (you must check one of the two options provided in #2):

1. My landlord did not supply me with notice in writing that he/she was a party to any rental agreement which covered three or fewer dwelling units (Section 5321.07(C)).
2. _____ I gave written notice to my Landlord of his/her failure to fulfill his/her obligations as required by Section O.R.C. 5321.07(A) (copy of this Notice is attached hereto)

OR

- _____ No notice was given to my landlord because he/she did not give me, in writing, the name and address of the owner or owner's agent as required by O.R.C. Section 5321.18(A).
3. Payment of my rent due under the rental agreement in the amount of \$ _____¹⁰_____ per month and due on _____¹¹_____ is CURRENT (I have made all payments to date).

Sworn to me and signed in my presence this _____¹²_____ day of _____¹³_____, 20____¹⁴_____.

Signed:

_____¹⁵_____
(Tenant)

_____¹⁶_____
(Deputy Clerk)

Notice to Landlord or Agent

Please be advised that the above tenant has deposited with the Clerk rent due for the premises mentioned above. This is a copy of his/her application.

To: _____

From: _____

Date: _____

In the _____ County Municipal Court
_____, Ohio

Application by Tenant to Deposit Rent with the Clerk

Case No. _____

Name and Address of Tenant

Name and Address of Landlord or Agent

Telephone No: _____

Telephone No. _____

By filling out this form, I am applying to deposit all rent that is currently due and becomes due to my landlord, with the Clerk of the captioned Court. (O.R.C. §3733.121 or §5321.07(B)(1)).

Date _____

Signed: _____

Affidavit(Information) in Support of Application

The following facts are true to the best of my knowledge (you must check one of the two options provided in #2):

1. My landlord did not supply me with notice in writing that he/she was a party to any rental agreement which covered three or fewer dwelling units (Section 5321.07(C)).

2. _____ I gave written notice to my Landlord of his/her failure to fulfill his/her obligations as required by O.R.C. §5321.07(A) or §3733.10 (copy of this Notice is attached hereto)

OR

_____ No notice was given to my landlord because he/she did not give me, in writing, the name and address of the owner or owner's agent as required by O.R.C. Section 5321.18(A).

① Payment of my rent due under the rental agreement in the amount of \$ _____ per month and due on _____ is CURRENT (I have made all payments to date).

Sworn to me and signed in my presence this _____ day of _____, 20__.

Signed:

(Tenant)

(Deputy Clerk)

Notice to Landlord or Agent

Please be advised that the above tenant has deposited with the Clerk rent due for the premises mentioned above. This is a copy of his/her application.

To: _____

From: _____
(Deputy Clerk)

Date: _____

**Instructions to Assist Completion of
Application for Reduction of Rent, Order to Repair,
Order Allowing Tenant to Use Rent Money to Make Repairs**

USE A BLUE OR BLACK PEN TO FILL IN ALL COURT FORMS. PRINT NEATLY AND CLEARLY. THE COURT WILL NOT ACCEPT YOUR PAPERS IF THEY ARE SLOPPY OR CANNOT BE EASILY READ.

AFTER YOUR FILL IN THIS FORM, STAPLE COPIES OF THE FOLLOWING THINGS TO THE BACK OF THE FORM:

- 1) RECEIPTS YOU GOT FROM THE COURT AFTER EACH RENT DEPOSIT,
- 2) NOTICE LETTER THAT YOU SENT TO YOUR LANDLORD TELLING HIM/HER OF THE PROBLEMS AND HIS/HER OBLIGATION TO MAKE REPAIRS,
- 3) PHOTOGRAPHS OF THE PROBLEMS IN YOUR RENTAL UNIT,
- 4) REPORTS OR ORDERS FROM THE BUILDING OR HEALTH INSPECTORS.

MAKE FOUR COPIES OF THE COMPLETED DOCUMENT AND ATTACHED ITEMS. KEEP ONE COPY FOR YOURSELF AND GIVE THE REMAINING THREE COPIES TO THE COURT. THE COURT WILL MAIL A COPY OF THE DOCUMENT TO YOUR LANDLORD.

At the ❶ write the name of the Court where you have escrowed your rent.

At the ❷ write the name of the County in which the Court is located.

At the ❸ print your name - first and then last.

At the ❹ write the number that the court assigned to your case when you filed the Application to Deposit Rent With the Court. If no number was assigned leave this blank and the court will fill a case number in for you.

At the ❺ write your current address (street, city, state, zip code).

1. At the ❻ write the current address where you rent (street, city, state, zip code).

2. At the ⑦ print the name of your landlord (first and then last).
4. At the ⑧ write the date on which you mailed or hand delivered the Notice to your landlord letting him know of the repairs needed.
5. At the ⑨ write the amount of rent that you pay each month. At the ⑩ write the date of the month on which your rent payments are due. At the ⑪ write the month or months for which you deposited rent with the court.
6. At the ⑫ list the items that your landlord has failed to repair (this list should be the same as the list of needed repairs mentioned in your Notice).
7. Put a check mark in the blank for each item that you have in your possession (photographs of the problems in your home or reports/orders from building or health inspectors). If you took photographs of the problems and checked this box, put the date on which those photos were taken in the space provided at ⑬. If the building or health department issued a report or order and you checked this box, put the date on which that order/report was issued in the space provided at ⑭ (this date can be found on the report itself).
8. Put a check in boxes B, C, and/or D for each thing that your are requesting. You can check B and C or D. You can only check C or D - not both.

If you check B, at the ⑮ write the date by which you want your landlord to make all the requested repairs (if only a few repairs are requested, give your landlord a few days to make these repairs, if there are many repairs requested, give your landlord at least one week)

If you check C, at the ⑯ write the amount of money that you wish to pay each month for rent. (If your rent is \$400 and you only want to pay \$300 because problems have not been repaired, put \$300 at the ⑯.)

If you check D, at the ⑰ write the amount of money you will need to make the requested repairs yourself or to hire someone to make these repairs.

At the ⑱ sign your name. At the ⑲ write the address where you currently live.

CERTIFICATE OF SERVICE

At the ① write the name of your landlord (first and then last).

At the ② write the address where your landlord lives (should be the same address where you mailed these documents).

At the ③ write the date of the month on which you mailed these documents.

At the ④ write the month in which you mailed these documents.

At the ⑤ write the year in which you mailed these documents.

At the ⑥ sign your name.

IN THE _____ **①** _____ MUNICIPAL/COUNTY COURT
_____ **②** _____ COUNTY, OHIO

IN RE: _____ **③** _____ : Case No. _____ **④** _____
(tenant's name) :
: **APPLICATION FOR REDUCTION**
_____ **⑤** _____ : **OF RENT, ORDER TO REPAIR,**
(tenant's address) : **AND ORDER ALLOWING TENANT**
: **TO USE DEPOSITED RENT TO MAKE**
: **REPAIRS (O.R.C. 5321.07)**

1. I am a tenant, as described by O.R.C. §5321.01(A). I live at: _____
_____ **⑥** _____

2. The landlord of the residential premises where I live is _____ **⑦** _____.
He/she is a landlord, as defined by O.R.C. §5321.01(B).

3. My landlord and I entered into a rental agreement as defined by O.R.C. §5321.01(D).

4. On or about _____ **⑧** _____, I personally delivered or mailed by certified
mail, the attached Notice to my landlord. (Copy of Notice, attached hereto as Exhibit)

5. My rent is in the amount of _____ **⑨** _____ per month and is due on or before the _____ **⑩** _____ of
the month. The rent due for the month(s) of _____ **⑪①** _____ has been
deposited with the Clerk of Court.

6. On the date the attached notice was delivered, my landlord was in violation of the
obligations imposed on him by O.R.C. §5321.04 and/or the rental agreement we entered.
The acts and/or omissions constituting such violations are specified in the attached notice
and consist primarily of: _____

_____ **⑪②** _____

7. The following items are attached hereto as Exhibits:

_____ Photographs of the problems needing repair, taken on _____ **13** _____.

_____ Reports and/or orders from the Department of Buildings and Inspections or the Health Department, requiring my landlord to repair the violations listed in the above paragraph. This report/order was issued on _____ **14** _____.

8. The landlord has failed to remedy the conditions specified in the attached notice.

WHEREFORE, tenant applies to this Court for orders:

A. That landlord pay the costs of this action.

B. _____ Directing the landlord to remedy the conditions specified in the attached notice on or before _____ **15** _____;

C. _____ Reducing the periodic rent due to the landlord to _____ **16** _____ dollars per month until landlord makes the requested repairs;

D. _____ Allow the tenant to use _____ **17** _____ dollars of the rent deposited to make the repairs that landlord has failed to make.

Respectfully submitted,

_____ **18** _____

_____ **19** _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served on _____ ① _____, at
this address: _____ ② _____. The
document was sent by regular mail this _____ ③ _____ day of _____ ④ _____, 20__ ⑤ __.

_____ ⑥ _____

IN THE _____ MUNICIPAL/COUNTY COURT
_____ COUNTY, OHIO

IN RE: _____ : Case No. _____
(tenant's name) :
: **APPLICATION FOR REDUCTION**
: **OF RENT, ORDER TO REPAIR,**
_____ : **AND ORDER ALLOWING TENANT**
(tenant's address) : **TO USE DEPOSITED RENT TO MAKE**
: **REPAIRS (O.R.C. 5321.07)**
:

1. I am a tenant, as described by O.R.C. §5321.01(A). I live at: _____

_____.
2. The landlord of the residential premises where I live is _____.
He/she is a landlord, as defined by O.R.C. §5321.01(B).
3. My landlord and I entered into a rental agreement as defined by O.R.C. §5321.01(D).
4. On or about _____, I personally delivered or mailed by certified mail,
the attached Notice to my landlord. (Copy of Notice, attached hereto as Exhibit)
5. My rent is in the amount of _____ per month and is due on or before the _____ of
the month. The rent due for the month(s) of _____ has been
deposited with the Clerk of Court.
6. On the date the attached notice was delivered, my landlord was in violation of the
obligations imposed on him by O.R.C. §5321.04 and/or the rental agreement we entered.
The acts and/or omissions constituting such violations are specified in the attached notice
and consist primarily of: _____

_____.

7. The following items are attached hereto as Exhibits:

_____ Photographs of the problems needing repair, taken on _____.

_____ Reports and/or orders from the Department of Buildings and Inspections or the Health Department, requiring my landlord to repair the violations listed in the above paragraph. This report/order was issued on _____.

8. The landlord has failed to remedy the conditions specified in the attached notice.

WHEREFORE, tenant applies to this Court for orders:

A. That landlord pay the costs of this action.

B. _____ Directing the landlord to remedy the conditions specified in the attached notice on or before _____;

C. _____ Reducing the periodic rent due to the landlord to _____ dollars per month until landlord makes the requested repairs;

D. _____ Allow the tenant to use _____ dollars of the rent deposited to make the repairs that landlord has failed to make.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served on _____, at
this address: _____ . The
document was sent by regular mail this _____ day of _____, 20__.

(Deputy Clerk)