

Indiana Civil Rights Commission Fact Sheet on Tenant Rights in Indiana

Safe, Clean and Habitable

- According to Indiana law, the landlord must comply with all building and health codes and provide a safe and clean dwelling. The rental unit must be cleaned, with toilets, furnaces and windows working. Locks must be on every outside door or doors that lead to a common area. Keeping rental premises habitable includes maintaining the structural safety of the building and weatherproofing.

Upkeep

- Indiana Code also requires a landlord to provide heat, water and appliances. Additionally, landlords are required to provide sanitary, plumbing and electrical systems. In Indiana, landlords must provide an adequate amount of heat to rental units and a reasonable amount of hot water.

Privacy

- Landlords must give you advanced notice before they enter your dwelling. The only exception is emergencies such as fire, loss of heat or flood.

Access to the Property

- You have the right to access your rental property at all times. It is illegal for a landlord to deny a tenant access to his rented property by means of changing locks, barring windows or removing doors. The only way a landlord may deny a tenant entry to a property he is renting is through a court order. A tenant also has the right to continuous use of his utilities such as electricity, gas and water. It is illegal for a landlord to interrupt these services without a court order.

Maintenance of Common Areas

- Landlords have a duty to maintain common areas throughout rental premises. Common areas are those shared by all tenants. Common areas may also include fences, parking, landscaping and recreational areas. These areas must be in compliance with Indiana's health and housing codes.

Deposit

- A tenant in the state of Indiana has the right to have his security deposit returned if the rental property is returned to the landlord in good order. It is illegal for a landlord to use a security deposit for the purpose of making repairs to the property as part of normal wear and tear, such as carpet cleaning or repainting walls. A tenant is required to have his security deposit returned to him within 45 days of the end of the lease agreement.

Right to Legal Action

- Tenants in Indiana can choose from a few options in the event a landlord neglects his duties. It's always a good idea to speak with a tenant's rights attorney to determine legal recourse if a landlord is invading a tenant's privacy, not keeping the premises safe and in compliance with health and housing codes, failing to fix appliances, failing to provide adequate heat and hot water or, in other words,

creating uninhabitable premises. In Indiana, tenants have the right to put rent money towards repairs in the event a landlord hasn't made repairs within a reasonable time. Tenants also have the right to terminate a lease agreement when premises become uninhabitable. Lastly, any financial damages incurred by a landlord's negligence can be pursued in small claims court.

- The tenant is protected against retaliatory action from a landlord who might discriminate against a crime victim. The tenant also has the right to have locks changed and/or has the ability to terminate the rental agreement with 30-days notice.

Fair Housing

- The major federal fair housing law is the Fair Housing Act. Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability). The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.
- Complaints can be made to

Indiana Civil Rights Commission
100 North Senate Ave. room N-103
Indianapolis, IN 46204
(317) 232-2600

Affordable Housing

- Some rental units may use federal or state subsidies to reduce the cost of housing. In affordable housing rents are limited based on average median income for the county. Rents must not be more than 30% of your monthly income inclusive of utilities. Because these rental units are subsidized you are required to provide proof of income annually. The Indiana Housing and Community Development Agency is the primary oversight body for affordable housing and more information can be gathered at <http://www.in.gov/ihcda/>.

Landlord Rights in the State of Indiana

- A landlord has the right to enter the rental unit, although he cannot enter any time he wishes. The landlord first gives reasonable notice to visit at reasonable hours. Neither instance of reasonable is defined in the Indiana code, but most landlords give 24-hour notice and enter during normal business hours. The reasons of entry include requested repairs, inspection, maintenance, court order, abandonment, showing the apartment to prospective tenants, or emergencies. The landlord also has the right to terminate tenancy and pursue an eviction case for tenants who do not pay owed rent, or violate a lease term and do not quit the property when notice is delivered.

Termination of Tenancy

- General Provisions of the Landlord and Tenant laws provides the proper notice periods for lease termination. Termination for non-payment of rent requires a 10-day written notice. The notice template is provided in the Indiana code. No notice is required in certain situations, such as the end of a lease term or the tenant is a tenant at sufferance.

Tenant Obligations

- A tenant must follow health and housing codes, both for the state and any local requirements. The rental unit must be kept clean, all home systems such as water or electric are to be used in a reasonable manner, damage or defacing the property is prohibited, follow the rules and regulations of the lease, and keep smoke detectors working.

The tenant must give the rental unit back in as close to original condition as possible. Normal wear and tear damage is permitted, but major changes need to be switched back if required by the landlord.

Read more: Indiana Code for Landlord & Tenant Rights | eHow.com

http://www.ehow.com/about_6578648_indiana-code-landlord-tenant-rights.html#ixzz1OiMYNEBI

Read more: Tenants Rights in Indiana | eHow.com http://www.ehow.com/list_6621731_tenants-rights-indiana.html#ixzz1OiN5xv66

Read more: Uninhabitable Tenant Rights in Indiana | eHow.com

http://www.ehow.com/info_7800605_uninhabitable-tenant-rights-indiana.html#ixzz1OiN0llao