

Eviction Procedures

A landlord must serve a notice to vacate with the following language conspicuously displayed somewhere in the notice:

“You are being asked to leave the premises. If you do not leave an eviction action may be initiated against you. If you are in doubt regarding your legal rights and obligations as a tenant, it is recommended that you seek legal assistance.”

The landlord must wait 3 days after serving the notice to vacate to file an eviction action in the local court.

The local court will schedule a hearing and send a summons to the tenant.

If the landlord gets a favorable decision, the tenant has to move.

Tenants are always advised to seek legal counsel when given a notice to vacate.

This brochure is meant to provide general information on Ohio's Landlord Tenant Law for educational

purposes only. This brochure is not to be used as legal advice. If you have questions regarding your legal rights, seek legal assistance.



For More Information

Monroe County Fair Housing Coordinator
Sheila Turner
Phone: 740-472-1341

Ohio Civil Rights Commission
1-888-278-7101

U.S. Department of Housing and Urban
Development Fair Housing Complaint
Hotline
1-800-669-9777
TTY 1-312-353-7143

Southeastern Ohio Legal Services
1-800-837-4781

Coalition on Housing & Homelessness in
Ohio—Tenant Information Line
1-888-485-7999



**EQUAL HOUSING
OPPORTUNITY**

Monroe County Fair Housing Coordinator

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Ohio Landlord Tenant Law

Monroe County Fair Housing



Landlord Tenant Relationships are Business Relationships

A lease/rental agreement is a binding legal contract. Never sign a contract without first reading and understanding its contents!

A lease/rental agreement may be written (or oral) and establishes the terms, conditions, rules, or any other provisions concerning the use and occupancy of residential premises by one of the parties.

Agreements can be month-to-month, for a set term (i.e., one year), or as part of a subsidized program (i.e., HUD, USDA, etc.).

The following terms are **prohibited** in agreements:

- Confess judgment (tenant gives up the right to a defense against a claim);
- Tenant required to pay landlord's attorney's fees no matter the outcome of a legal dispute;
- Shifting landlord duties to the tenant, even if mutually agreed to;
- Have tenant indemnify landlord from liability.

Landlords are also prohibited from self-help evictions or utility shut-offs.

A court may rule to refuse terms that are deemed unfair or illegal.

Landlord Duties (Ohio Revised Code 5321.04)

- Put and keep premises in a fit and habitable condition.
- Keep all electrical, plumbing, heating, and ventilation systems in good working order.
- Maintain all appliances and equipment supplied or required to be supplied by him/her (however, the landlord is not required to supply appliances).
- Provide garbage cans and arrange for trash removal, if the landlord owns four or more residential units in the same building.
- Comply with building, housing, health and safety codes.
- Give at least 24 hours notice, unless it is an emergency, before entering a tenant's unit and enter only at reasonable times and in a reasonable manner.
- Evict the tenant when the landlord has "actual knowledge" of drug activity by the tenant, a member of the tenant's household or a guest of the tenant occurring in or otherwise connected with the tenant's premises.
- Supply running water and reasonable amounts of hot water and heat, unless the hot water and heat are supplied by an installation that is under the exclusive control of the tenant and supplied by a direct public utility hook-up.

Tenant Duties (Ohio Revised Code 5321.05)

- Keep the premises safe and sanitary.
- Use electrical and plumbing fixtures properly.
- Keep the plumbing fixtures as clean as their condition permits.
- Maintain the appliances supplied by the landlord in good working order.
- Dispose of rubbish properly.
- Comply with housing, health and safety codes that apply to tenants.
- Permit the landlord to enter the dwelling unit, if the request is reasonable and proper notice is given.
- Comply with state or municipal drug laws in connection with the premises and require household members and guests to do likewise.
- Refrain from damaging the premises and keep guests from damaging the premises.
- Refrain from disturbing any neighbors and require guests to do the same.

Tenants are urged to seek legal counsel if they believe a landlord has violated terms of the rental agreement or the landlord/tenant law.

Eviction (Ohio Revised Code 1923)

A landlord can bring an eviction action when:

- Tenant failed to pay rent on time.
- Tenant stayed in the unit after the termination or expiration of the rental agreement.
- Tenant breaches the lease or the law.