

Landlords Have Rights Too! **by Robert L. Cain**

In spite of what you might suspect, and in spite of superficial evidence to the contrary, landlords do have rights. Those rights are specific and enforceable. You will find them spelled out in the landlord-tenant laws of your state. They are reiterated in your rental and lease agreements.

Conventional wisdom and recent history notwithstanding, having them spelled out in detail is a real advantage to you as a landlord. It means that if you follow the letter and spirit of the law, you can enforce the demand that your tenants do likewise.

Here are four rights that landlords are endowed with:

1. **The right to receive the rent on time, paid in advance, with a good check, at the place of your choosing.** Included in the landlord-tenant law of every state is the requirement that tenants pay the rent on time. The definition of "on time" varies from state to state, so it behooves you to find out exactly when the rent is considered late where your property is located.

Also remember that if the check bounces or is "lost in the mail," the rent isn't paid. Money has to be available at the place of your choosing. Any number of options are available to you ranging from knocking on their door the first of the month to using Automatic Fund Transfers from their checking accounts. The point is, you tell the tenant where the rent is to be paid, and it is your right to receive it there.

2. **The right to a clean and sanitary rental.** You have the right to it and your tenants have the responsibility to make sure that their home free from filth and unconscionable debris. Messiness is one thing; but the filth and garbage that attracts pests from termites to rats to more bad tenants is another. Your tenants have no right to endanger your property by living in filth.
3. **The right to have your tenants be good neighbors.** Your tenants have the responsibility to conduct themselves as good citizens in your rental property. That is especially important if you have multi-unit properties, since bad citizens drive the good ones out. But even in single-family homes, bad citizens will tear into the warp and woof of the fabric of a neighborhood, fraying its edges and tearing at its core to the point where that if enough bad citizens inflict themselves on it, the neighborhood will unravel to slum. That means no drug dealers, no loud drunken parties, no racing up and down the street in front of the property, no leaving of hulks of cars in the driveways, parking lots or streets.
4. **The right to select a qualified tenant to live in your property.** Many landlords, living in fear of being caught up in the Byzantine world of the Fair Housing Law and federal bureaucracy, believe they have to rent to the first person who shows up with cash. Not so.

Even the most rabid Fair Housing enforcer recognizes that both bad tenants and good tenants come in all races, colors, creeds and disabilities. You have the right to refuse to rent to anyone who has a history of failing to live up to his or her responsibilities as a tenant.

Make sure you know your rights as a landlord, and your responsibilities. You have a contract with the renters in your properties etched in the stone of the landlord-tenant law of your state and framed in your leases. The reason many landlords aren't able to enforce their rights is that they have not lived up to their responsibilities.

Read and study the landlord-tenant law of your state. Go to the classes presented by your local apartment or landlord association.

Take the time, become an expert, and no bad tenant can ever take your rights away.

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