

## Landlord & Property Owner Professional Associations

**REIA-NCI (Real Estate Investors' Association-North Central Indiana)** gears its education and community building efforts toward real estate investors in St. Joseph County, Indiana with concentration toward South Bend and Mishawaka, and surrounding communities. Learn more at [reia-nci.org](http://reia-nci.org) or by calling 574-742-2456.

**The Greater South Bend-Mishawaka Association of REALTORS, Inc.** is a membership group which provides education and services to successfully enhance individual business interest. Learn more at [sbmaor.weebly.com](http://sbmaor.weebly.com) or by calling 574-289-6378.

## Tenant Legal Aid

**The Economic Justice Clinic** at Notre Dame provides free legal services to low-income clients in consumer law matters. Please call 574-631-6704 to find out if the Economic Justice Clinic is currently accepting cases. More information can be found at [law.nd.edu](http://law.nd.edu).

**The Volunteer Lawyer Network** is charged by the Indiana Supreme Court with promoting and organizing pro bono (free) legal services for qualified clients. VLN cannot accept cases with hearings within 30 days, cases with emergency needs, or cases within certain legal areas. Please call (574) 277-0075 for more information or visit [volunteerlawyernetwork.net](http://volunteerlawyernetwork.net).

### South Bend Human Rights Commission

If you feel that you are experiencing housing discrimination, contact the South Bend Human Rights Commission. Types of discrimination may include: race, religion, gender, disability, sexual orientation, familial status, etc.

319 N Niles Ave, South Bend, IN 46617  
574-235-9355

## Top Tenant Tips

- Have a signed lease with your name on it.
- Get everything in writing.
- Do NOT move into a rental unit that is in need of repair. Require the landlord to make the repairs BEFORE you move in and begin paying rent.
- Document the condition of the property when you move in - pictures with a date/time stamp are ideal.
- Purchase Renter's Insurance.
- If you are experiencing a problem with your rental unit, you must contact your landlord. You must also give him/her access to the unit to assess the situation and make necessary repairs.
- You do NOT have the right to withhold your rent payment from your landlord.
- When renting a house, YOU should be maintaining/mowing the yard, shoveling snow, picking up litter/debris, and taking your trash to the alley/curb and placing it in appropriate trash/recycling container(s).
- Call Code Enforcement if you are experiencing housing repair issues that continue to go unaddressed by your landlord.

### Rental Safety Verification Program

All rental units in the City of South Bend must be inspected and certified to verify safety and habitability. For full information, to schedule an inspection, and **LEAD SAFETY TIPS** please see:

[www.southbendin.gov/rsvp](http://www.southbendin.gov/rsvp)

## Landlord-Tenant Responsibilities and Rights



The general law of landlord-tenant relations can be found at Indiana Code Title 32, Article 31.

The City emphasizes responsibilities found at IC 32-31-8 & IC 32-31-7.

### Contact Us!

Code Enforcement  
13th Floor County-City Building  
227 W. Jefferson Blvd.  
South Bend, IN 46601  
311 or 574-233-0311

Office Hours:  
Monday - Friday  
8:00 AM - 4:45 PM

Website: <https://www.southbendin.gov/>



## Tenant Responsibilities

- Cooperate with owner to allow access for inspections and repairs at a mutually agreed upon time and date
- Keep the area used by the tenant reasonably clean
- Use the following in a reasonable manner: electrical systems, plumbing, sanitary systems, heating and ventilating, elevators (if provided), facilities and appliances of the rental premises
- Refrain from defacing, damaging, destroying, impairing, or removing any part of the rental
- Ensure that each smoke detector and carbon monoxide detector remain functional and are not disabled
- Deliver the home back to the landlord in a clean and proper condition
- Maintain all utilities, water, gas, electric, and trash service as required while occupying the property

### Landlord's rights to enforce tenant responsibilities:

- A landlord can bring an action from a court with jurisdiction to enforce a tenant obligation but first must complete these steps:
  - a. the landlord has to inform the tenant of his/her noncompliance.
  - b. the tenant then has to be given a reasonable amount of time to fix the noncompliance.
- If the noncompliance caused physical damage and the landlord repaired it, the landlord can send a notice to the tenant of how much the repairs cost.

## Landlord Responsibilities

- Deliver the rental in safe, clean, and habitable condition upon move-in
- Comply with all health and housing codes that apply
- In multi-unit properties, keep the shared common areas of a property in clean and proper conditions
- Provide and maintain the following in good and safe working condition: electrical systems, plumbing, sanitary systems, heating and ventilating, elevators (if provided), facilities and appliances of the rental premises
- Provide access to all basic utilities including water, gas, electric, and trash service
- Cooperate with the tenant to make arrangements for required repairs to the rental unit
- Disclose all known lead hazards and if the property is within a 100-year flood plain.

The owner shall not allow a rental unit to be occupied that is condemned by any agency that has the authority to condemn.

### Tenant's rights to enforce landlord responsibilities:

- A tenant can bring an action from a court with jurisdiction to enforce a landlord obligation but first must meet these conditions:
  - a. The tenant has to inform the landlord of his/her noncompliance.
  - b. The landlord then has to be given a reasonable amount of time to fix the noncompliance. The tenant cannot prevent the landlord from having access to the rental premises to make repairs.
  - c. Landlord fails or refuses to repair or remedy the condition described in the tenant's notice.

## Tenant Privacy Rights

### A landlord may not:

- Take possession of;
- Remove from a tenant's dwelling unit;
- Deny a tenant access to; or
- Dispose of a tenant's personal property in order to enforce an obligation of the tenant to the landlord under a rental agreement.

### A landlord may not (unless authorized by a judicial order):

- Deny or interfere with a tenant's access to, or possession of, the tenant's dwelling by any act, including the following:
  - a. Changing the locks or adding a device to exclude the tenant from the dwelling;
  - b. Removing the doors, windows, fixtures, or appliances from the dwelling;
  - c. Interrupting, reducing, shutting off, or causing termination of any of the following to a tenant:
    - ◆ Electricity
    - ◆ Gas
    - ◆ Water
    - ◆ Other essential services

### A landlord:

- Shall not abuse the right of entry or use a right of entry to harass a tenant
- Shall give a tenant reasonable written or oral notice of the landlord's intent to enter the dwelling; and
- Shall provide to tenant name of property manager or agent;
- May enter a tenant's dwelling only at reasonable times.

### A landlord may enter the dwelling unit:

- Without notice to the tenant in the case of an emergency that threatens the safety of the occupants or the landlord's property; and
- Without the consent of the tenant:
  - a. Under a court order; or
  - b. If the tenant has abandoned or surrendered the dwelling