

ARE YOU A RENTER WORRIED ABOUT YOUR HOUSING AFTER HURRICANE IRMA?

THE APARTMENT I LIVE IN IS NEEDS REPAIRS AFTER THE HURRICANE. WHAT SHOULD I DO?

First, contact your landlord to notify her about the repairs that are needed. Take photos and videos of damage so you can document what happened. If repairs cannot be made quickly or the landlord refuses to make repairs, you should send the landlord a letter which lists what needs to be fixed and tells the landlord that you will not pay October's rent if the landlord doesn't make repairs within 7 days. This demand must be in writing. You can't do it during a phone call.

You can mail a letter, send an email or send a text. Make sure you keep a copy of whatever you send. If your rent is due on the 1st of the month, we recommend doing this no later than Friday, September 22, but you can still send the letter any time before the rent is due.

WHAT IF THE LANDLORD DOES NOT MAKE REPAIRS BY OCTOBER 1ST?

If you gave written notice to your landlord described in question one, do not pay your rent to the landlord. But, you must save your rent. If you sent the written notice, you will have a defense to an eviction for non-payment of rent. You will be required to deposit the rent with the court if the landlord files an eviction. If you don't save your rent, you will likely be evicted and you won't get a hearing or speak to a judge.

CAN I MAKE THE REPAIRS MYSELF AND DEDUCT IT FROM THE RENT?

No. You can only do this if your landlord agrees to it, either in the lease or in a separate agreement. If your landlord tells you can use the rent to pay for repairs, make sure you get the agreement in writing. An email or text from the landlord confirming the agreement will protect you later.

MY PLACE IS UNLIVABLE AFTER THE HURRICANE. WHAT CAN I DO?

If you have somewhere else to go, you can tell the landlord that the place is unlivable and you are moving out. Do this in writing and take photos. You won't be responsible for any more rent under the lease. If only part of your home is unlivable, you have the right to move everything out of that part of your home and reduce your rent for that part of the home.

I HAVE NO POWER. DO I HAVE TO PAY RENT?

Yes. In most cases, the loss of power after a hurricane requires FPL to fix lines and restore power. If you think the landlord caused the power outage or there are structural issues at the building preventing power from being restored, you should consult with a lawyer.

**I COULDN'T WORK DURING THE STORM AND DIDN'T GET PAID.
I DON'T HAVE THE MONEY FOR OCTOBER'S RENT. WHAT SHOULD I DO?**

First, you should talk to your landlord and see if she'd be willing to work with you and give you time to catch up on your rent. If not, you should contact the HAND program at 1-877-994-4357 to see if you qualify for rental assistance (in Miami-Dade County only). Unfortunately, the loss of income caused by a hurricane, is not a defense to an eviction for non-payment of rent. If you have received any eviction papers, you should contact Legal Services for advice.

**ALL MY STUFF WAS DESTROYED WHEN THE ROOF FELL IN ON THE PLACE I RENT.
WHAT HELP CAN I GET?**

If you don't have renter's insurance and you aren't covered by your landlord's insurance policy, you may be able to get Individual and Household Program (IHP) money from FEMA to replace necessary items of personal property such as clothing, household items, furnishings and appliances. You may apply for these benefits through FEMA at 1-800-621-3362 (hearing/speech impaired 1-800-462-7585). You can also apply on-line at <https://www.fema.gov/apply-assistance>

**MY LANDLORD TOLD ME TO MOVE OUT THE NEXT DAY BECAUSE HE WANTS THE
APARTMENT FOR HIS DAUGHTER WHO LOST HER HOUSE IN THE HURRICANE, AND
TOLD ME IF I WASN'T OUT, HE'D CHANGE THE LOCKS - DO I HAVE TO MOVE?**

Florida law does not allow a landlord to lock you out or turn off the utilities or use any "self help" to get you to leave. The landlord must file an eviction action in court and, then you only have to move out after the judge orders you to be evicted by the Sheriff. Before filing an eviction, the landlord must first give you some type of written notice telling you to move. If you get any eviction papers, you can should contact Legal Services for advice. If the landlord locks you out or tries to force you out, call the police and contact Legal Services. You may have a claim for damages equal to three times the monthly rent.



**IF YOU NEED LEGAL HELP IN MONROE OR MIAMI-
DADE COUNTY, CONTACT LEGAL SERVICES OF
GREATER MIAMI, INC. TO APPLY FOR LEGAL HELP
ONLINE, VISIT WWW.LEGALSERVICESMIAMI.ORG
AND CLICK "GET HELP" OR CALL: 305-576-0080.**