



# GOT MOLD?

## WHAT TO DO IF YOUR RENTAL UNIT NEEDS REPAIRS

### What's New?

- Georgia law has recently changed. Now, any place you rent to live in must be **"fit for human habitation"**. This means the unit must be decent for human beings to live in. The property must meet housing code requirements.
- In addition, a landlord cannot disconnect your **heat, air conditioning, power, or water** while an eviction case is pending.

### What's Still True?

- **Your landlord must make repairs.** However, you cannot legally refuse to pay rent even if your landlord is not making repairs. You can sue your landlord if they do not repair the property.

### What does "fit for human habitation" mean?

- Georgia law does not yet explain what this means. But it is safe to say that your home should be safe. **Your home should at least have working utilities, proper ventilation, smoke detectors, an entrance and exit, a kitchen, solid walls and doors, and a working bathroom.** Your home must meet basic health and safety housing code standards.
- If you have to leave your home because it is not safe, you may be able to sue your landlord for "constructive eviction."
- If the home you are renting needs maintenance or repairs, tell your landlord in writing about the need for those repairs. You could write a letter, email, or text message. Keep a record of these communications and when they were made.

## What if repairs are not made?

If you ask for repairs in writing and your landlord does not make them, you also have the following options:

- Contact your local Housing Code Enforcement office for an inspection.
- Pay for the repairs and subtract the cost from the rent if the landlord does not act in a reasonable time.
- Give notice to the landlord, have the repair done by a reputable company, and get a receipt.
- Pay for the repairs and sue your landlord to get your money back.
- Sue your landlord for any harm you suffered because of their failure to repair.
- This could include harm to furniture or personal belongings, cost of replacement food, medical expenses related to the problems with your home, or payment for the stress of living in a home with the repair problems.
- Keep receipts and records of your costs for your landlord's failure to repair.
- If your landlord files an eviction case against you, you can counter-sue your landlord for damage to your property or injuries you suffered because of the failure to repair.

## Questions?

If you have questions about the maintenance and repair issues with your home, you may contact **Atlanta Legal Aid** at (404) 524-5811 or [atlantalegalaid.org/get-help/](http://atlantalegalaid.org/get-help/) or **Atlanta Volunteer Lawyers Foundation** at (404) 521-0790 or [avlf.org/get-help/](http://avlf.org/get-help/).

If you live outside the 5-county metro Atlanta area, contact **Georgia Legal Services Program** at (833) 457-7529 or [glsp.org/need-help/](http://glsp.org/need-help/) to talk to someone about your specific situation.

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