

PROPERTY MANAGEMENT TIPS

Managing a rental property can create numerous legal issues.

One of the most important aspects of supervising a rental unit is the prevention of problems before they occur. Knowledge of the basic duties a landlord owes to tenants is one of the first steps in warding off legal issues.

The following landlord tips provide an overview of the common legal issues faced by landlords.

Landlord Tip #1: Don't Discriminate Against Prospective Tenants

A landlord may not reject a prospective tenant for reasons that are discriminatory. The French laws prohibit a landlord from denying an applicant because of race or color, national origin, familial status, disability, or sex.

A landlord may base a decision on the following factors : credit history, employment history, and income.

A landlord should keep written documentation of the reason a prospective tenant was rejected and the screening process used should be applied consistently with each applicant.

Landlord Tip #2: Put a Landlord/Tenant Agreement in Writing

One of the most important landlord tips is to enter into a written rental agreement with the tenant.

Typical residential lease agreements specify important rental terms that will guide the landlord/tenant relationship.

The most important provisions include the following : the names of the tenants, the length of the tenancy, the amount of the security deposit, the party responsible for specific repairs, whether pets may live in the rental unit, and the amount of rent.



A lease agreement should specify when rent is due, what form of payment is acceptable, whether a grace period applies, and whether late fees and returned check fees apply.

Landlord Tip #3: Regularly Inspect the Property prior to the entrance

A landlord should inspect a rental property for dangerous conditions.

When a tenant sustains injuries on the property, the landowner may bear legal responsibility.

The French law allows a person injured on a property to recover compensation when the landlord behaved recklessly or with intent, was unreasonably careless, violated health and safety regulations, failed to make certain repairs, or the premises was inhabitable.

Landlord Tip #4: Notify Tenant before Entering the Rental Unit

French law is clear on when it is permissible for a landlord to enter a rental unit, and is based on the tenant's right of privacy.

Therefore, a landlord may only enter a rental unit for a few specific purposes.

It will be permitted to a landlord only to enter a unit to make repairs, inspect the property for future repairs and maintenance works, or show the property to prospective tenants.

In all instances, except during an emergency, a landlord must provide a verbal or written notice of the intent to enter the premises before the entry, and always with the tenant's accord.

Landlord Tip #5: Make Repairs Promptly

It is a landlord's duty to repair and maintain a rental property in a way that is fit for occupancy.



The French law refers to this as an "implied warranty of habitability."

It is required from rental units to provide tenants with heating, plumbing, electricity, and/or gas.

The failure to provide these basic features is a violation of the law.

When a tenant makes a request for repairs to a necessary fixture in the unit and the landlord fails to make the repair, the tenant has a several options.

French law allows a tenant to withhold rent only after a judiciary authorization.

If an injury occurs because of the failure to make a repair, the tenant may sue the landlord for compensation.

