

INDIANA RENTERS' RIGHTS & RESPONSIBILITIES

DISCLAIMER: *This document is intended to provide information about the law only and does not create an attorney-client relationship. Consult an attorney if you have questions about how the law applies to your particular situation. You may have more rights and responsibilities than what is listed here. Laws change, so please be sure your information is current.*

RESPONSIBILITIES

Under Indiana Law, you have certain responsibilities as a tenant:

- You must comply with the portions of health and housing code that apply to tenants (such as maintaining your utility service).
- You must keep your rental unit and the premises reasonably clean, and you may not deface, damage, or destroy your rental unit, a fixture in your rental unit, or the rental premises.
- You must not abuse or misuse the rental property, including any elevators, electrical, plumbing, waste and sewage, heating, ventilation, air conditioning systems, or any landlord-supplied appliances or facilities.
- You must comply with your rental agreement and all rules and regulations of the landlord.
- You must ensure that the smoke detectors in your rental unit remain functional, are not disabled, and batteries are replaced as needed.
- When you move away from your rental unit, you have a duty to leave it in a clean and undamaged condition, apart from normal wear and tear.
- You must pay your rent. You may NOT withhold rent if your landlord does not make a repair or meet other landlord responsibilities. If you stop paying rent and continue to live in the rental home, your landlord can sue to evict you for nonpayment of rent—this can result in you losing your place to live and having a judgment entered against you. If you need assistance in making a rent payment, it is important that you apply for assistance in advance. You can apply for rental assistance with your township trustee or by contacting a community navigator (see Resources section).

RIGHTS

These rights are yours by law. Nothing in your lease can take these rights away from you. Indiana law provides specific remedies for you if your landlord fails to meet their responsibilities. Do NOT withhold rent.

- Your landlord must provide a safe, clean, and habitable rental unit that complies with health and housing code.
- Your landlord must make all reasonable efforts to keep all common areas clean and in good condition.
- Your landlord must keep the following appliances and systems in good and safe working condition if they were in the rental home when you agreed to rent the place: ventilation and air condition systems, heating systems, waste and sewage systems, plumbing systems, electrical systems, any appliances that were provided in order to get you to agree to rent the place, and elevators (if applicable).
- Before the utility company can shut off your utility service, they must give you advance written notice by mail or in-person delivery. Your landlord cannot turn off your utilities.
- You have the right to privacy in the rental premises. Your lease agreement likely says when your landlord may come into your home. Usually, lease agreements say that your landlord may come in to do emergency repairs, routine or needed maintenance, and inspections. Unless your landlord needs to come in to your home because of an emergency, your landlord should let you know in advance.
- Neither your landlord, any rental agent, or any representative of your landlord, may refuse your application for housing, attempt to evict you, or otherwise discriminate against you on the basis of race, color, religion, sex, disability, familial status, or national origin. If you believe you may be a victim of housing discrimination or have questions about fair housing laws, contact the Fair Housing Center of Central Indiana: (317) 644-0673.

Rights continued on back side of page.

RIGHTS CONTINUED

- If there is a problem with your rental unit, you can request the landlord fix it. To report a problem, follow these steps:
 - Give your landlord notice that a repair is needed and 1) put it in writing, 2) date it, and 3) keep a copy for yourself.
 - Give your landlord a reasonable amount of time to fix the problem.
 - Allow your landlord access to your home so the repairs can be made.
- If your landlord still does not fix a problem, or refuses to fix it, you can then sue your landlord in court. If you decide to sue, you want to make sure that you are in compliance with the lease. Otherwise, you risk the landlord countersuing you for eviction.
- After the end of your tenancy, your landlord must return your security deposit to you within 45 days of your departure, if you have (1) left the apartment to the landlord in good order, and (2) provided your landlord, in writing, a forwarding address. However, your landlord may deduct any unpaid rent or costs to repair damages to the rental unit, but must provide a written, itemized list of damages if doing so.
- Your landlord may not evict you without a court order.
- Your landlord may not lock you out of your rental unit.
- If you or someone in your household has been the victim of domestic violence, a sex crime, or stalking and a court has issued a civil protection order (PO) or criminal no-contact order (NCO), you have certain rights under Indiana Code chapter 32-31-9:
 - Your landlord may NOT terminate your lease or otherwise retaliate solely because of your protective order or no-contact order.
 - Your landlord must change the locks and provide you with a new key after receiving a copy of the order.
 - Unless the PO/NCO explicitly allows it, your landlord may not by any act give the perpetrator access to the premises.
 - You can terminate your lease early if you provide the landlord a copy of the order and a safety plan from a domestic violence or sexual assault advocate that recommends that you move. You can find an advocate by calling the state-wide domestic violence hotline at 1 (800) 332-7385.

RESOURCES

The following resources are at your disposal to help you learn more information about your rights and responsibilities and to help you ensure that your landlord does not violate your rights. Your landlord may not retaliate against you for contacting any of these resources or for exercising your legal rights.

Indiana Energy Assistance Program

The Indiana Energy Assistance Program (EAP) provides financial assistance to eligible households for energy bills during the winter months. The program can also help with window air conditioning units for eligible households during the summer. Households can generally apply for EAP from November through May. Check with your local Community Action Agency or visit <https://ihcda.rhsconnect.com/> for more information.

Township Trustee Assistance

Each Township Trustee has special funding for residents in emergency circumstances. To find out more about your township trustee office, eligibility requirements, and application instructions, contact your local office. (Rental assistance may not be available if a resident is already behind in rent or an eviction has been filed.) Find your trustee: <https://in.wayeo.us/>

Community Navigators

Connect with a community navigator over the phone or browse the online database to find resources and referrals.

Indiana 2-1-1

Website: <https://in211.communityos.org/>

Phone: 2-1-1

Public Health Department

To file a complaint about the conditions of your property, contact your local health department. To find information on your local health department visit the state website (<https://www.in.gov/isdh/24822.htm>) or connect with a community navigator.

Indiana Legal Services

If you are a resident of Indiana with a civil legal problem in Indiana, you can apply for free legal assistance. Website: <https://www.indianalegalservices.org/>
Phone: 1 (844) 243-8570

ILS

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TO JUSTICE