



## **PROCESS FOR RENT (WITHHOLDING) ESCROW FOR REPAIRS**

A landlord is responsible to make repairs that are his or her responsibility, to keep the premises safe, and to meet the requirements of any local or state health, safety and building codes. If the tenant reasonably believes that the landlord has failed to fulfill any such obligations, the tenant **must** give the landlord a detailed written notice/letter of the conditions which need to be corrected. This detailed notice/letter must be delivered/mailed to the person or place where rent is normally paid. The tenant should keep a copy of this notice. If the landlord fails to make the repairs or remedy the condition within a reasonable time, not to exceed 30 days, the tenant may do one of the following, **providing that the rent payments are current:**

1. Deposit the entire amount of the normal rent with the Clerk of Courts on or before the normal rental due date (*remember: clerks office is closed on weekends, holidays and after 4:30 pm during the week*).
2. Request the court to order the repairs be made; request that rent be reduced until repairs are made; or request that rent deposited be used to remedy the conditions.
3. Terminate the lease or rental agreement. *If, at the time of initial occupancy, the landlord has given the tenant a written notice stating he/she owns three or fewer rental units, the tenant may not exercise these rights. If a tenant is a student occupying the unit, the tenant may not exercise these rights.* If the landlord has failed to provide a written notice with the name and address of the owner and owner's agent, if any, the owner gives up the right to a notice before a tenant takes legal action.

### **Retaliation**

The Ohio Landlord Tenant Law forbids a landlord from retaliating against a tenant by increasing the tenant's rent, decreasing services that are due to the tenant, or bringing or threatening to bring an eviction action because the tenant has:

1. Complained to a governmental agency about a code violation by the landlord.
  2. Complained to the landlord that he/she has failed to fulfill an obligation.
  3. Deposited rent in escrow with the Clerk of Courts.
  4. Joined with other tenants to negotiate terms.
- A landlord who engages in retaliation may be held liable for any actual damages to the tenant and reasonable attorney's fees.

***For application information, contact:  
Canton Municipal Clerk of Courts  
218 Cleveland Avenue SW  
Canton City Hall  
Canton, OH 44702  
330-489-3203***

If you have further questions  
Contact:  
City of Canton Fair Housing  
218 CLEVELAND AVE SW. FLOOR #6  
CANTON, OH 44702

330-438-4133

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