## **Guide Me**: I have bad conditions that need to be fixed.

Here are some steps that you can take.

### Send A Letter To Your Landlord:

First tell your landlord about the bad conditions in writing. It is really important that your notice to the landlord be in writing to protect you in case the landlord later claims he or she never had notice. Make sure you put a date on the notice, and keep a copy of what you send for your records.

Sample Demand for Repair letters can be found here. https://www.masslegalhelp.org/housing/bad-conditions/forms-shortcut

### Get an Inspection:

If your landlord does not respond to your request to make repairs, you should get an inspection. Every city and town has a Board of Health or Code Enforcement Department that is responsible for making sure that your apartment meets the minimum standards for health and safety contained in the state sanitary code.

**Withhold Rent Only If You Can Save It:**

Withholding rent can be an effective way to get your landlord to (finally) make the repairs. However, it also has the potential to upset your landlord and should only be done carefully. Some landlords will try to turn this around and start proceedings to evict you for non payment of rent. A landlord, however, will not be able to evict you if you have carefully withheld your rent. You should only intentionally withhold your rent if you can meet all of the following conditions:

* The landlord has knowledge of the bad conditions in your apartment.
* You were current with your rent at the time the landlord received knowledge of the defective conditions in your apartment
* The defective conditions were not caused by you or anyone in your household or guests
* You have the ability to put the withheld rent aside and not spend it.

**Sue Your Landlord:**

Massachusetts has very strong laws that require landlords to make repairs. Sometimes these laws can result in your right to have you rent abated or reduced – even if you are behind on your rent. If your landlord has not been repairing bad conditions, you may be able to sue your landlord for money

Learn more about how to sue your landlord here. (https://www.masslegalhelp.org/housing/lt1-pullout-13-taking-landlord-to-court)

**Hire a Lawyer:**

In Massachusetts, many of the laws that require landlords to make repairs also include a part that says the landlord has to pay for your attorney if you win your lawsuit. This is fall fee shifting. For this reason, you may be able to get a lawyer to represent you without you having to pay that lawyer. To find a lawyer who specializes in representing tenants, [link to lawyer referral programs]

Learn more about Getting Repairs Made and Your Rights to Safe and Habitable Housing here. www.masslegalhelpf.org/housing/lt1-pullout-8-getting-repairs-made

*The suggestions provided above are not legal advice and are provided as information only.*

*Whenever you have a legal problem, it is always best to talk to a lawyer who can give you advice that is uniquely tailored to your situation. The Massachusetts Legal Resource Finder can help you find lawyers and other legal help resources in your area.*