

		West Virginia Department of Health and Human Resources			
		MANUAL OF ENVIRONMENTAL HEALTH PROCEDURES			
Section	Housing / Institution	Date	October 4, 2007	Procedure #	H-7
Subject	Landlord & Tenant Act			Page	1 of 1

[WV State Code, Chapter 37, Article 6, Section 30](#), is the “Landlord and Tenant Act.” Reviewing Chapter 37, there is no mention of the health department or any other governmental agency. Therefore, we conclude that the tenant has full and sole responsibility for initiating action in a court of law as related to violation(s) of said legislation.

Should a tenant make a formal request to a health department for an investigation to determine the fitness for human habitation of his place of residence, the sanitarian may conduct an inspection and prepare a detailed report of his findings, including photographs. The sanitarian’s report would be available to the court and the sanitarian would testify as an expert witness if requested by the court or if subpoenaed by either the tenant or landlord.

The health department would not ordinarily take the lead role in seeking relief or justice under said legislative Act.

References

[WV State Code, Chapter 37, Article 6, Section 30](#), Landlord and Tenant Act

History

Replaces H-7 dated August 23, 1978

Attachments