

KNOW BEFORE YOU GO

Apartment Leasing

What is an apartment lease?

A lease is an agreement between you (the tenant) and the landlord about living in an apartment for a specific amount of time.

Applying for an apartment - rental applications and credit checks

Typically, you will have to fill out a rental application. It may ask for your past addresses, your employer, your driver's license and social security number, and the names and phone numbers of a few people who are your personal references. The landlord may charge you an application fee, but no more than \$50. The fee may include a "credit check" fee and gives the landlord permission to check your credit history. The landlord must give you a receipt.



Inspect the apartment with the landlord BEFORE you move in. Make sure that the apartment is clean, the carpet is clean or replaced, the walls painted and any repairs are done. Also check:

- There are no cracks or holes in the walls, floors or ceilings.
- No signs of rats or insects (beware of bed bugs if furniture is included in the rent).
- There is hot and cold water in the bathroom and kitchen, and that there are no leaks.
- There is a working heater.
- The door lock and any window locks work.
- There is a working smoke detector.
- The lights work.
- Check the condition of any appliances like a refrigerator, stove and oven.
- You have a place to receive mail.

You and the landlord should fill out an "inventory checklist" that lists each item and notes the condition. This is important because it will help you get back your security deposit when you move out. Keep a copy of the checklist signed by the landlord.

Make sure the lease is in WRITING!

Your apartment lease and everything that you and the landlord agree to should be in writing. If the landlord tells you he/she will do something but does not include it in the written lease, then there is no way to force the landlord to deliver on the promise. Don't feel rushed into signing the document. Call the Alliance at 213.368.6010 and ask one of our NextStep attorneys to review the lease with you.

The written lease should include:



- How much the monthly rent is, when it is due and to whom you pay the rent.
- The amount and purpose of the security deposit.
- How many people may live in the apartment. (Note: if you have a friend stay with you and they are not on the lease, the landlord can ask for more money for the extra person and/or use that information to break the lease.)



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The written lease should include (con't):

-  Who will pay the utilities (such as gas, electric, water and trash service) and whether they will charge you that fee in addition to the rent.
-  If appliances such as a refrigerator, oven and stove, or air-conditioning unit will be provided by the landlord and who will cover any repair or cost to replace it.
-  If pets are allowed and if there is an additional pet deposit.
-  The name and contact information for the property manager and the owner.
-  How many days in advance you must notify the landlord if you want to move out.

How long is the lease for?

Typically, you should not sign a lease that lasts longer than a year. Beware of a landlord who tries to talk you into a lease for more than one year with the argument that it will protect you from yearly rent increases. In fact, if the building was built in the 1970s or before, it may be rent controlled which limits the amount the landlord can increase your rent every year.

What kind of deposits can a landlord ask for?

In addition to first and last month's rent, landlord may include different types of deposits before they reserve the apartment for you, including:

-  Security deposit - This money is held by the landlord to pay for damages, but you can get it back if you leave the apartment in good shape. It cannot total more than 2 months rent.
-  Holding deposit - This money should guarantee that the landlord "holds" the apartment for you until you sign the lease and money to move in. Before you pay this amount, ask the landlord if it will be credited to your first month's rent or if it will be refunded if you decide not to lease this particular apartment.

What other costs should I plan for in moving into my apartment?

Moving can be expensive. There are many expenses that you should budget for before you decide to move into your own apartment, including:

-  Utilities - In most cases, you will be responsible for a portion of the building's trash, water and all of your own electricity and cable usage. Many utility companies have "turn on" fees that will make the first month's bill more expensive.
-  Moving - If you are lucky, you have friends with trucks who can help you move any bulky items, such as a couch, bed, chair(s), etc. If not, you may need to pay to rent a truck to move your personal belongings.

Once I move is there any way to get free furniture, dishes, towels, etc.?

There are a number of resources to get furniture and household items for free or at low cost. Check the "free" section of Craigslist or visit a thrift store. A nonprofit called A Sense of Home is also a great connection to help you create your "home." #ASOH (asenseofhome.org) steps in with a volunteer force to collect donated furniture and household items to create your home so you can finally have a place where you belong.

Dealing with apartment related problems

The landlord must make sure your apartment is safe, clean when you move in, livable and bug-free. The landlord must also do maintenance work to keep the apartment in a livable condition. However, you must also take reasonable steps to keep your apartment clean and livable. Should you have a problem or need something in the apartment repaired, such as a leaking pipe, notify your landlord.

Moving out

Before you move out, or end your lease, you must notify your landlord in writing. Typically, you must give the landlord 30 days notice. Before signing the lease, check the lease for any additional moving out notice requirements.

For more information, visit kids-alliance.org or clccal.org.



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