

## **BYU Off-Campus Housing STUDENT-LANDLORD CONFLICT ISSUES**

*The following is a guide to paragraphs in the 2004-05 BYU Student-Landlord Rental Agreement (SLRA) that relate to common issues of conflict between landlords and students. With a few issues, the guide makes reference to some paragraphs in the BYU Off-Campus Housing Handbook (OCH Handbook) which are incorporated by reference into the rental agreement and are part of the agreement. The OCH Handbook can be found online at the BYU Off-Campus Housing website ([www.byu.edu/offcampushousing/policies/handbook.pdf](http://www.byu.edu/offcampushousing/policies/handbook.pdf)). Copies are also available at the BYU Center for Conflict Resolution. The guide also makes reference to the RLS paragraph (Residential Living Standards paragraph) and the Certification of Student Status paragraph which are found in a box at the beginning of the rental agreement.*

### **1. Deposits**

#### **1.1. Student seeking deposit or claiming a penalty for late refund.**

- 1.1.1. 30-day requirement is violated (SLRA #21).
- 1.1.2. Penalty possible for bad faith (SLRA #21).

#### **1.2. Student disputing deductions from deposit.**

- 1.2.1. Cleaning charges disputed (SLRA #6, #10, #21D)
- 1.2.2. Damage charges disputed (SLRA #6, #21B)
- 1.2.3. Fees are exorbitant or not related to incurred costs (SLRA #7B and #3)

### **2. Unpaid Rent**

#### **2.1. Landlord seeking unpaid rent and late fees**

- 2.1.1. Student moved out and
  - 2.1.1.1. No replacement is found (SLRA #23D, #23E)
  - 2.1.1.2. Student graduated (SLRA #23C)
  - 2.1.1.3. Student claims catastrophic loss or active military duty (SLRA #23B)
  - 2.1.1.4. Student claims landlord breached rental agreement (SLRA #23E)
- 2.1.2. Student still in residence (SLRA #3)

#### **2.2. Landlord evicting student and seeking future rent (SLRA #24)**

### **3. Maintenance and Living Conditions**

#### **3.1. Student seeking repairs to be done**

- 3.1.1. Non-critical repairs (SLRA #11, BYU OCH Handbook, Sec. 17 and 20)
- 3.1.2. Critical repairs and urgent problems (SLRA #11, BYU OCH Handbook, Sec. 17)

#### **3.2. On move-in day, student displeased with conditions of unit (SLRA #6, #11)**

#### **3.3. Student seeking rebate in rent or termination of contract for failure to make repairs (SLRA #23E)**

### **4. Selling Rental Agreements**

#### **4.1. Agreement terminated before commencement date of agreement (SLRA #22)**

#### **4.2. Landlord declined suitable substitute tenant or failed to help student find a replacement (SLRA #23D)**

#### **4.3. Landlord charged a fee for early termination (SLRA #23D)**

#### **4.4. Student and landlord obligated to find a replacement tenant (SLRA #23D)**

#### **4.5. Subleasing of contract (SLRA #23D)**

## **5. Tenant Conduct**

### **5.1. Student accused of conduct that breaches agreement**

- 5.1.1. Noise or disruption of privacy or peace (SLRA #10, #24(5), RLS paragraph.)
- 5.1.2. Assault, harassment, annoyance, destroying property, threatening harm (SLRA #24(5))
- 5.1.3. Nuisance or health or safety hazards (SLRA #24(5))
- 5.1.4. Honor Code or Residential Living Standards violations (SLRA #8, #24(3), #24(4), RLS paragraph)

### **5.2. Landlord accused of failing to maintain BYU standards or permitting bad conduct of other residents (SLRA #8, #23E, #24(5), #18)**

## **6. Utilities**

- 6.1. Unpaid obligations of one roommate to another (often involving the landlord) (SLRA #4)
- 6.2. Student claims not to owe utilities when not residing in unit (SLRA #4)

## **7. Unlawful Entry and Right of Inspection (SLRA #19)**

## **8. Damage to Student Property (SLRA #12)**

## **9. Landlord Moving Tenant to Different Unit (SLRA #20)**

## **10. Landlord Modified Agreement or Is Enforcing Rules Not Agreed To (SLRA #7)**

## **11. Landlord Has Not Provided Receipts, Bills, Copies (SLRA #7B)**

## **12. Student Claims Unit is Over Occupied (SLRA #1)**

## **13. Student Causes Alteration to Property (SLRA #10)**

## **14. Landlord Delays Giving Possession to Student (SLRA #13)**

## **15. Landlord Not BYU Approved (SLRA #14)**

## **16. Student Has Unauthorized Guests (SLRA #17)**

## **17. Student Has Unauthorized Pets (SLRA #16)**

## **18. Student Has Unauthorized Firearms, Weapons, or Explosives (SLRA #15)**

## **19. Tenants Not Eligible to Live in BYU Approved Housing (SLRA #24(4), Certification of Student Status paragraph.)**

## **20. Landlord Harassing or Retaliating for Exercise of Tenant Rights (SLRA #18)**