

Legal Help is Available

Legal Aid of North Carolina does not have enough lawyers to represent every tenant who has a problem. We may represent some tenants and give advice to others in our service area.

Self-Serve Center

However, everyone can get free court forms to represent themselves at the Self-Serve Center in Room 3350 of the Mecklenburg County Courthouse located at the corner of McDowell and Fourth Streets. This center has an answer and counterclaim form that tenants may use to make their defenses and claims for refund of overpaid rent. There are instructions on how to use the forms. You may also watch a short video to show you how to present evidence in court.

Helping Yourself

Our programs may teach you to represent yourself in and out of court. If the landlord gets a lawyer or appeals the case, a Legal Aid lawyer may be available to represent you.



LEGAL AID
OF NORTH CAROLINA

Legal Aid of North Carolina is a statewide, nonprofit law firm that provides free legal services in civil (non-criminal) matters to low-income people in order to ensure equal access to justice and remove legal barriers to opportunity. Our services are free to people who meet our low-income guidelines and our program priorities.

CHARLOTTE OFFICE:

5525 Albemarle Rd. Suite 100
Charlotte, North Carolina 28212
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Charlotte Housing Unit
335 Billingsley Road, 2nd Floor
Charlotte, NC 28211

OFFICE HOURS

Monday - Friday
8:30 a.m. - 5:00 p.m.

Legal Aid of North Carolina is an equal opportunity agency providing services to clients without regard to race, sex, disability, age, natural origin or religion.

Legal Aid of North Carolina is partly funded by:

United Way
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YOUR RIGHT TO A SAFE & DECENT HOME



The Landlord Must Keep Your Home Fixed

1. The landlord must obey the local housing code.

Charlotte and Mecklenburg County have passed a law called a housing code. This law tells the landlord what he must provide and maintain in the places he rents out.

Here are some things that are required by most codes:

- Heating must be provided in all rooms.
- The heaters and electrical outlets must be safe and working.
- Operable smoke and carbon monoxide detectors.
- No holes in the roof, floors, walls, ceilings or doors.
- Doors and windows must have locks.
- The sinks, faucets, drains and toilets must be working without leaks.
- The stairs, walkways and halls must be safe.

If your home needs fixing, the law says the landlord must fix it, and the landlord's lease cannot excuse this responsibility.

Call a housing inspector for your area and request a code inspection. Charlotte Code Enforcement can be reached at 311 or 704-336-3380. Mecklenburg County Code Enforcement can be reached at 980-314-2633. The inspector will send a letter to your landlord if they find code violations.

2. The landlord must repair the appliances they put into your place, such as a stove, refrigerator, furnace and air conditioner.

If the landlord does not make repairs, they may have to pay you because they broke the law. The amount they owe depends on what they did not fix.

If the landlord does not fix the problem, call a lawyer or a housing inspector. If the appliance is yours, it is your responsibility to fix it.

The Law is on Your Side

1. You may complain or ask the landlord to make repairs.
2. You may complain to a housing inspector about repairs or unhealthy conditions.
3. You may organize, join or work with any group trying to help tenants.

The law says your landlord cannot evict you for doing any of these protected activities.

If your landlord files a summary ejectment action because you complained or called for an inspection, you can raise a defense orally in court.

However, if you are behind on rent or if you are withholding rent from your landlord based on repair issues, your landlord may have grounds to evict you for nonpayment of rent.

How to Tell the Landlord What Needs to Be Fixed

1. If possible, let the landlord know what repairs need fixing in writing with a day and time stamp. Emails, portal maintenance requests, and text messages are great ways to do this. If you tell your landlord verbally (via telephone or face-to-face) about repair issues, write down the date/time you told the landlord and what repair issues you told them about. Always keep a copy of anything you tell your landlord in writing.

2. Give the landlord a fair amount of time to fix your place.

If he still does not fix it:

3. Call 311 for a housing inspection if the landlord does not make repairs after they get your letter.

4. Call a lawyer if the landlord still does not make repairs after the inspector orders them to do so.

Always Be a Good Renter

1. Keep your place clean and safe.
2. Do not do any damage to your place. Do not let anyone else damage your place.

You may be responsible when you or anyone visiting you damages your place.

The landlord may charge you to fix what was damaged negligently.

While the landlord is responsible for making the repairs, the landlord can charge you to fix issues that you or a guest damaged either negligently intentionally or by accident.

Already Evicted? A Lawyer May Help You

1. Get back into your place.

If you have been illegally evicted and you want to move back in, you need a lawyer right now.

If someone else has already moved into your place, it is almost impossible to make them move out.

2. Make a claim for money damages:

If it is too late for you to get back in, you may have a claim for money damages, lost personal property, lost pay, cost of moving your things, mental suffering, and other special damages.

You may need to file a complaint in small claims court or get a lawyer right now.