



Mark Davis/Daily Nebraskan

Eyes for fashion...

At right from top to bottom, Rita Muhlbach, Britta Wheeler and Jean Schroeder show their designer sweaters for this fall designed by UNL alumnus Marv Graff. Graff said each sweater costs about \$400. At left is Lisa Hill just before show time. Graff is a free-lance designer in New York. He brought his fall sweater line to show at UNL's College of Home Economics annual dessert night. The models are members of the UNL design club.

Tonight and Saturday  
**BABY LEROY**  
(formerly The Houseband)  
Kansas City's Finest Rhythm & Blues Band  
9-1:00 \$3 COVER OCT. 26-27

**The ZOO BAR** 136 N. 14th

Division of University Housing  
**STUDENT ASSISTANT**  
Position for Spring Semester 1985

There are a limited number of openings for SA positions for Spring Semester, 1985. Students wishing to apply must have a 2.0 accum., and must be at least Sophomore standing as of January 1985.

Applications will be available at 1102 Seaton Hall from October 29 thru November 2 between 8 a.m.-noon and 1 p.m.-5 p.m. If you already have an application on file, please come into the office and fill out a new one.

Please call Sue at 472-3885 with any questions.

**JUAREZ  
TEQUILA**

The Magic of Mexico.

Landlord responsible for gas heat; uninsured drivers face problems

By Shelley Stall  
Student Legal Services Lawyer

**QUESTION:** When my roommate and I woke up this morning, we could see our breath. It's colder inside our apartment than it is outside. We would like to take care of turning on the heat, but our lease says the landlord is responsible for the gas heating. I've called him twice in the last 10 days and he says he'll have it turned on, but nothing gets done. We can't stand it anymore. What can we do? **Signed, Freezing.**

**ANSWER:** Dear Freezing: What you may have here is a failure to communicate.

Call Minnegasco and find out if they have received a request from



your landlord to turn on the heat. If they have, find out the exact day and time they plan to do it. Try to make sure the gas company will have access to the furnace at that time.

If Minnegasco has no record of your landlord requesting that they turn on the gas, call your landlord and tell him. Be polite, but make it clear that this is an emergency situation and the request has to be made TODAY. Give him Minnegasco's phone number and ask him to call as soon as you hang up. Minnegasco will not send someone out to turn on the heat unless the person whose name is on the account (your landlord) authorizes it by phone or in writing.

If clearing up communication problems does not solve the heat

situation, Section 76-1427 of the Nebraska Residential Landlord-Tenant Act allows you to notify your landlord in writing of the emergency, hire someone to turn on the heat at your cost and deduct it from your rent. Make sure you keep a copy of the written notice.

A tenant may only use the "repair and deduct" approach when, contrary to the lease or the Nebraska Residential Landlord-Tenant Act, the landlord *deliberately or negligently* fails to supply running water, hot water, heat or essential services and the tenant gives written notice of the problem to the landlord.

**QUESTION:** Last week I ran a red light and hit a woman driving a new Datsun. The police gave me a ticket for negligent driving and the other driver's insurance company wants \$1,500 for damages to her car. My 1971 Ford Fairlane is totaled. I don't have any car insurance. What should I do? **Signed, Depressed.**

**ANSWER:** Dear Depressed: First check with your parents to find out if you might be covered under their policy. Then make an appointment with an attorney. Take copies of the police report, the accident reports and the letter from the other driver's insurance company with you to the appointment. Nebraska law requires you to turn in an accident report within 10 days. It's a good idea to have the attorney look at it before you send it in. Don't admit any fault regarding the accident to anyone but your attorney. In the meantime, here is some general information about the problems you face:

**Possible Revocation of Driver's License.** The Department of Motor Vehicles will process the police and accident reports. It is likely the DMV will determine

that you are responsible for the accident since you ran a red light. You will receive a form letter from the DMV asking you to prove "financial responsibility" by giving them the name of your insurance company. Since you don't have auto liability insurance, you face the possibility of having your driver's license revoked. The DMV will give you about 90 days to obtain a release from the other driver's insurance company by paying for the damage.

Since you don't have \$1,500, you and your attorney might try to negotiate a payment plan with the insurance company and obtain a release that is conditioned upon making monthly payments.

**Negligence Citation.** You will have to go to court on the date and time noted on your citation. The charge of negligent driving will be read and you will have an opportunity to plead innocent, guilty or no contest. If your attorney thinks you probably would lose at trial on the negligence ticket, you probably will be advised to plead "no contest." A no contest plea, unlike a guilty plea, cannot be used in a civil suit as evidence of your responsibility for the accident. The judge can give you a fine of up to \$100 plus \$21 in court costs. You also will lose three points off your driver's license.

Depressed, you have learned the hard way. You should never drive a car without car insurance. If you had been insured at the time of the accident, most of these problems would be your insurance company's problems and your driver's license would not be in jeopardy.

If you have a legal question of problem for this column, send your letter to Ask Your Attorney, c/o Shelley Stall, Nebraska Union 335, UNL, City Campus.