

Housing laws clarified

Quiz answers tenant questions

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Dear Readers:

About one-third of the students who bring legal problems to Student Legal Services are experiencing some kind of trouble with their landlord.

The following quiz tests readers' knowledge on some points of law in the landlord/tenant area as well as some things you should know when purchasing a house. Student Legal Services provides informational pamphlets in the area of housing law as well as copies of the Nebraska Landlord/Tenant Act. For help with specific legal problems, contact Student Legal Services or a private attorney.

Ask Your Attorney

Housing Law Quiz

- If a tenant pays rent on the first day of every month, and has a month-to-month lease, when must the tenant give notice to the landlord that he or she intends to move out on June 1?
 - On or before May 1
 - At least two weeks before June 1
 - Any time before June 1
 - No notice is necessary
- If you are renting an apartment on a month-to-month basis, the landlord can raise the rent as much as he or she wants provided that the tenants receive proper notice.
 - True
 - False
- If the monthly rent for an apartment is \$200, and the tenant has a pet, how much of a security deposit may the landlord require the tenant to pay?
 - \$200
 - \$250
 - \$400
 - Any amount he/she wishes
- Which of the following is a landlord required by law to provide?
 - Hot and cold running water
 - Heat
 - Garbage cans
 - All of the above
 - None of the above
- If you are renting an apartment, and the air conditioning breaks down,

you can withhold payment of your rent until the air conditioning has been repaired, and you are not required to pay rent for the days during which no air conditioning was supplied.

- True
 - False
- If a tenant fails to pay the rent, the landlord may:
 - Immediately evict the tenant
 - Enter the apartment and confiscate the tenant's property until the rent is paid.
 - Tell the tenant he or she must vacate the apartment unless the rent is paid within three days
 - All of the above
 - When may a landlord legally enter a tenant's apartment without the tenant's knowledge?
 - To make repairs
 - In case of emergency
 - To show the apartment to a prospective tenant
 - All of the above
 - Never
 - If you sign an "offer to purchase" on a home, and then find another home you would rather purchase, you have three days in which to change your mind and cancel the contract.
 - True
 - False
 - If you sign an "offer to purchase" a home and then are unable to obtain financing, the seller must return your earnest money to you.
 - True
 - False
 - Unless the contract of sale specifies otherwise, an individual selling a home can generally take with him or her anything which is not permanently affixed to the property.
 - True
 - False
 - If you have a low-interest home mortgage and are selling your home, you have the right to allow a qualified buyer to assume your mortgage at the low rate.
 - True
 - False

Answers

- (a) Unless the lease provides otherwise, the tenant must give notice on or before the rental payment date which precedes by at least 30 days the date the tenant wishes to move out. If the tenant in this question wanted to move on June 15 rather than June 1, but

paid rent on the first of every month, notice would still have to be given to the landlord on or before May 1 to meet the notice requirement of the landlord tenant act.

- Unless the rental agreement (which can be either verbal or written) provides otherwise, the landlord can raise the rent with proper notice. This would mean notifying the tenants of the rent increase on or before the rental payment date preceding the date on which it is to go into effect. There is no limit on the amount of rent a landlord can charge.
 - (b) The maximum amount of a security deposit is one month's rent, plus one-quarter of one month's rent as a pet deposit.
 - (d) The landlord must supply hot and cold running water, reasonable heat and garbage cans, among other obligations.
 - (b) The landlord tenant act provides specific remedies for tenants when repairs are required. Withholding rent is not a remedy. Since a landlord is not required to supply air conditioning, the absence of it would not justify a reduction in rent.
 - (c) The landlord must follow specific legal guidelines when the tenant fails to pay the rent; he or she cannot evict the tenant without a court order.
 - (b) The landlord must give the tenant 24 hours notice of intent to enter the property, except in an emergency.
 - (b) The right to cancel a contract does not apply to an "offer to purchase" on a home.
 - (b) Unless the contract provides otherwise, which many do, you would still be bound by the contract even if financing could not be obtained.
 - (a) The contract of sale should spell out exactly what is and is not included in the purchase price.
 - (b) The lender can prevent the buyer from assuming the mortgage through a "due on sale" clause, which is contained in most mortgages.
- The Housing Law Quiz is a section of the Nebraska Law Quiz 1984, prepared by the Nebraska State Bar Association and reprinted here with its permission.

Reuter Report

Reagan calls for Congress to unite behind MX plan

WASHINGTON — President Reagan Thursday night made a fresh call for Congress to approve funding for the MX missile, saying there was little prospect of success in the Geneva arms control talks without it.

Addressing his appeal to the Democrat-controlled House where the appropriations committee has voted against the 10-warhead missile, Reagan said: "Now is the testing time for the House."

He said the European allies who had backed deployment of new U.S. Pershing-2 and cruise missiles in Europe were watching Congress to see whether the United States had equal courage.

Reagan said next week's House vote on the MX, which the Senate approved in two separate votes this week, would determine whether the United States faced Moscow in Geneva as a united nation or one divided over an essential security program. No request by a president for a major strategic system deemed vital to national security has ever been denied by Congress, Reagan said, adding that if the House reverses this precedent "there is little prospect of success at Geneva."

Israeli troops kill 2 newsmen

SIDON, Lebanon — Israeli forces thrust beyond their frontlines and smashed into Shi'ite villages south of Sidon Thursday, killing 21 guerrillas and two Lebanese working for CBS television officials and witnesses said.

Lebanese army sources said the Israeli operation began at dawn when troops in 60 vehicles crossed their frontlines in south Lebanon and advanced along several roads despite resistance from troops and Moslem militiamen.

An army spokesman said they had killed 21 guerrillas in "raids" on Shi'ite villages. One Israeli trooper was wounded, he said. The Israelis stormed Kfar Milki, nine miles southeast of Sidon, shooting and searching houses, some of the hundreds of villagers who fled to Sidon said.

In Kfar Milki, witnesses said an Israeli tank shelled a group of journalists and killed two free-lance Lebanese newsmen working for the CBS television network and wounding several other people. French journalist Marine Jacquemin, who was at the scene, said the tank fired two shells at the CBS crew from 500 yards.

Arms negotiators move into groups

GENEVA, Switzerland — The United States and the Soviet Union will start separate negotiations on medium-range nuclear missiles, long-range missiles and space-based weapons next Tuesday a U.S. Embassy spokesman said Thursday.

The announcement followed a fourth session by the full negotiating teams of the two superpowers, which began fresh arms control talks on March 12.

Western diplomats observing the new talks said they were surprised at the speed with which the superpowers had moved from meetings of the full delegations to the three working groups. They said the two sides must have resolved or decided to leave until later fundamental differences on the nature of the talks, which officials have aired publicly.

Bank reopens with federal coverage

CINCINNATI, Ohio — One of 70 Ohio savings banks forced to close last week because of a run on deposits reopened for the first time Thursday and customer activity was reported normal.

The 69 other Ohio savings banks with privately insured deposits that were ordered closed by the governor last Friday remained closed. But officials said the majority of those banks would probably reopen soon.

Century Savings Bank, which reopened, received federal insurance coverage for its deposits after the crisis began with the collapse of Ohio's biggest privately insured savings bank about 10 days ago.

Vice President Bill Connelly said there were no lines of customers waiting to withdraw money as there had been when the bank closed last week.

Authorities regain control of prison

SAO PAULO, Brazil — Authorities regained control of Brazil's largest prison Thursday after a night of rioting in which six people were killed and up to 20 injured, police said.

Armed police who entered the Sao Paulo house of detention Wednesday night to quell the riot had been withdrawn and firemen worked to put out fires still burning on some of the prison's seven wings, police said.

Prison director Luiz Camargo Wolfman said that a delegation of the 6,000 inmates was meeting state justice department officials to discuss the prisoners' complaints. Nearly half the detainees, many of them armed with knives, took part in the violence.

Wolfman said jail authorities were still assessing damage caused during the 20 hours that the inmates controlled the prison and it was not known whether any prisoners would have to be moved to other jails. The violence erupted last night when inmates began burning mattresses and breaking up their cells to protest judicial delays in processing the cases of prisoners due to be released.

Guerrillas attack U.S. restaurants

LIMA, Peru — Hooded leftist guerrillas have attacked and gutted three Kentucky Fried Chicken stores in their latest assault against American targets in Peru.

Witnesses said the Tupac Amaru Revolutionary Movement rebels threw firebombs inside the stores after routing diners at the restaurants in Lima neighborhoods last night.

There were no immediate reports of injuries in the attacks on the fast-food outlets, the largest U.S. restaurant franchise chain in Peru, police said. Tupac Amaru surfaced last year with attacks on targets identified with the United States, including the U.S. Embassy and the Sears department store.

Police Report

The following incidents were reported to UNL police between 10:52 a.m. Monday and 8:34 p.m. Wednesday.

Monday

- 10:52 a.m. — Fire reported on a post beside the driveway near the College of Business Administration.
- 12:03 p.m. — Sweatshirt reported stolen from a locker in the Coliseum.
- 12:14 p.m. — Vehicle reported stolen from Parking Area 15 on Q Street between 12th and 13th streets. Vehicle had been towed from the private lot and later was recovered.
- 1:55 p.m. — Parking permit reported stolen in Lincoln.
- 3:20 p.m. — Bicycle reported stolen from a

rack near Andrews Hall.

- 5:35 p.m. — Money reported stolen from Selleck Quadrangle.
 - 7:12 p.m. — Hubcaps reported stolen from a vehicle in Parking Area 1 near 19th and Vine streets.
 - 9:34 p.m. — Three related reports: belated report of check, money card and personal items stolen from Abel Hall; check forgery reported at East Park Plaza, 66th and O streets; and \$40 reported stolen from National Bank of Commerce, 19th and O streets.
 - 9:36 p.m. — Personal items reported stolen from Abel Hall.
 - 10:34 p.m. — Fire alarm malfunction reported at Schramm Hall.
 - 10:35 p.m. — Assault and trespass reported at Whittier Junior High School building.
- Tuesday
- 9:43 a.m. — Bicycle reported stolen from Harper-Schramm-Smith residence hall courtyard.
 - 10:45 a.m. — Billfold reported stolen from the Coliseum.
 - 11:45 a.m. — Burglary reported at Sellock Quadrangle.

- 12:54 p.m. — Bicycle reported stolen from 1345 E St.
 - 1:38 p.m. — Hit-and-run accident reported on City Campus.
 - 2:25 p.m. — Gym bag reported stolen from Mabel Lee Hall.
 - 3:56 p.m. — Fire alarm malfunction reported at Smith Hall.
 - 8:26 p.m. — Disturbance reported at Abel Hall.
- Wednesday
- 1:40 p.m. — Burglary reported at 601 N. 16th St.
 - 1:49 p.m. — Bicycle reported stolen from Abel Hall.
 - 1:49 p.m. — Tape player reported stolen from Abel Hall.
 - 3:40 p.m. — Money reported stolen from Sandos Hall.
 - 4:02 p.m. — Camera equipment reported stolen from Mabel Lee Hall.
 - 4:35 p.m. — Hubcaps reported stolen from the parking lot of Burr Hall on East Campus.
 - 8:34 p.m. — Medical emergency reported at Andrews Hall.

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