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## Residential Leases

Starting October 1, 2007 until September 30, 2008, lease renewals subject to the Emergency Tenant Protection Act (ETPA) may be increased (at the tenant's option) by 2.5% for a one-year lease renewal or 3.5% for a two-year lease renewal. If tenants pay for their own heat & hot water, a one-year lease renewal is 2.0% and a two-year lease renewal is 2.8%. Make sure lease renewal forms and proper notice of the increases are given to tenants.

Do you have a late fee clause in your current leases? You should if you want to encourage timely rent payments. Landlords are in effect providing their tenants with an interest free loan each and every time the tenant pays the rent late. Discourage the habit by charging and collecting a late fee.

Contact our office for a free consultation regarding any specific questions you may have.

Disclaimer: The information provided is not intended to be legal advice, but merely conveys general information related to legal issues commonly encountered.

## Residential Evictions

A landlord must serve a non-paying tenant with a 3-day notice to pay rent before the landlord can legally commence a non-payment proceeding.

Neglected apartment repairs are usually a valid defense for a tenant's non-payment. Judges typically order the landlord to have repairs done prior to proceeding with the eviction action. Make sure your tenants have no legitimate complaints about the state of their apartments before commencing non-payment proceedings. This will save the landlord time with court adjournments and money, including possible rent abatement charges awarded to the tenant by the Court.



# NEWSLETTER

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