



**Leasing 101**  
**It All Begins And Ends**  
**With The Lease**

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  - ✓ Be located in or serve the greater Atlanta area.
  - ✓ Serve low-income or disadvantaged individuals.
  - ✓ Be unable to afford legal services.
- *Visit us on the web at [www.pbpatl.org](http://www.pbpatl.org)*
- We host free monthly webinars on legal topics for nonprofits
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# Landlord Tenant Relationship

## *A Kind Of Magic - Queen (1985)*

- Written / Oral Contract
- Grant to Another the Right to Possess & Enjoy Use of Real Estate for a Fixed Period of Time
- Payment of Rent is Not a Prerequisite

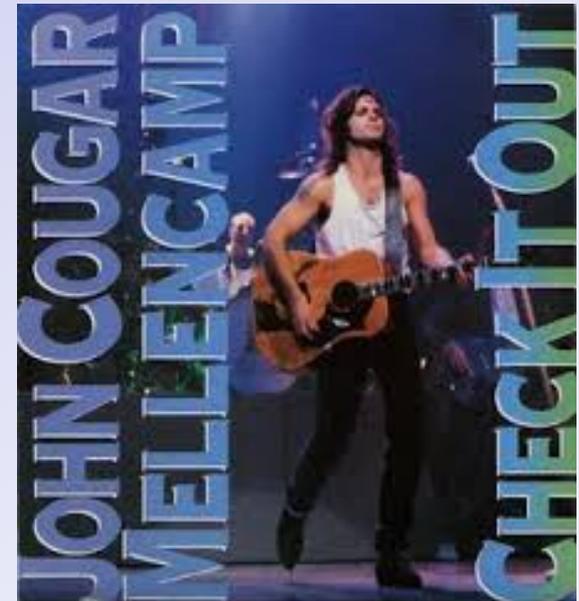




# Application / Underwriting

## *Check It Out – John Mellencamp (1988)*

- Application Fees
- Refundable
- Nonrefundable
- Underwriting Criteria
- Credit Scoring / Income Verification
- Third Party Processing – to Protect the Integrity of Landlord
- Prior Rental History
- Criminal Background Check



# The Lease Agreement

## *Last Fair Deal Gone Down – Eric Clapton (2015)*

- GAR
- Orthrus
- National Apartment Association
- Atlanta Apartment Association
- Single Family Rental
- Housing Authority Voucher



# Lease is an Enforceable Contract

*Signed, Sealed, Delivered – Stevie Wonder (1970)*

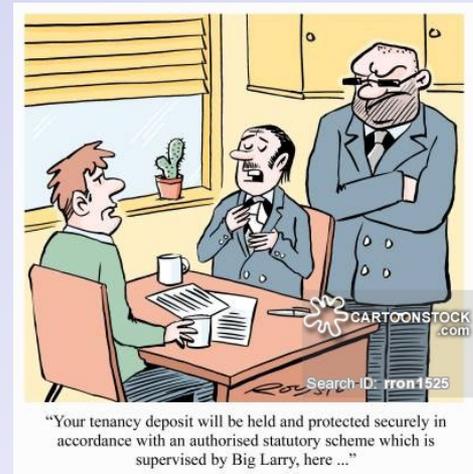
- Security Deposit
- Rent, Late Fees, Other Fees
- Utilities
- Pets
- Landlord / Tenant Right to Renew
- Early Termination Fee
- Landlord Duty to Repair
- Tenant Duty to Keep in Good Repair
- Tenant Default



# Security Deposit

*Every Breath You Take – The Police (1983)*

- Security Deposit - Paid at Lease Inception
- Purpose Is to Protect Landlord in the Event Damage to Property Occurs During Tenancy, “ordinary wear and tear excepted”
- End of Tenancy Move-Out Inspection
- Return / Retention of Security Deposit



# Rent, Rent And More Rent !

*The Rent is Always Due - Neil Young (2009)*

- Monthly Rent as Defined in the Lease
- Due Date for Rent
- Late Fees
- Returned Checks
- Additional Fees Identified as Rent
- Acceptance of Rent
- Payment Process



*“Just put your blue jeans on, Grab your guitar and sing a song, Don’t think I’m kidding you, The rent is always due.”*

# Utilities

## *Electrical Storm – U2 (2002)*

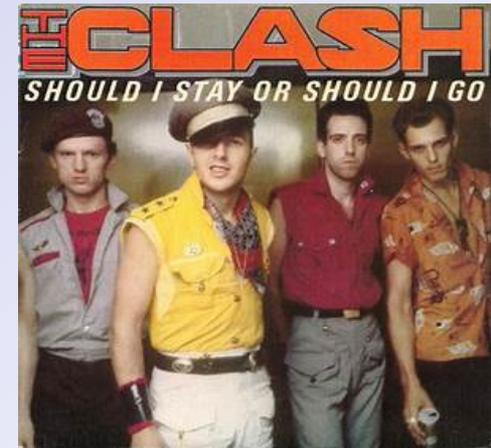
- Tenant v. Landlord Service
- Electricity
- Gas
- Water / Sewer
- Cable TV / Internet
- Trash
- Tenant Fails to Establish Service
- Landlord Charge To Tenant
- Failure To Pay Constitutes Default



# Tenant Right To Renew & Early Termination Fee

*Should I Stay Or Should I Go – The Clash (1982)*

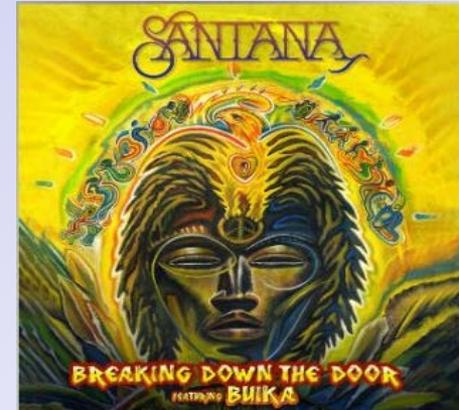
- Lease Term Defines Landlord / Tenant Obligations
- Month-To-Month at Lease Expiration Date
- Automatic Renewal Language
- Early Termination Notice & Early Termination Penalty
- Housing Voucher Recipient



# Landlord Right of Entry

*Breaking Down The Door – Santana (2019)*

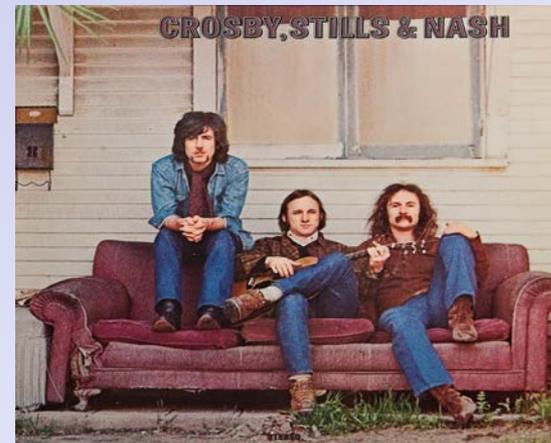
- Multifamily Right of Entry
- SFR Right of Entry
- Emergency / Non-Emergency



# Maintenance & Repair

## *Our House – Crosby, Stills & Nash (1970)*

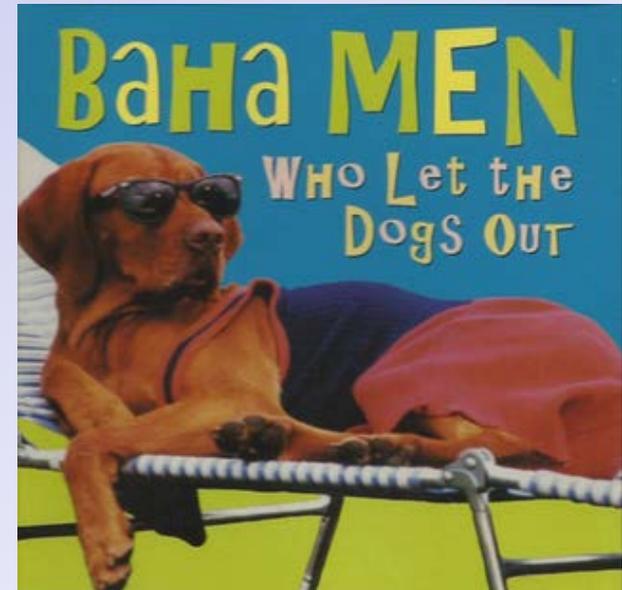
- Condition of Property & Alterations
- Repairs & Malfunctions
- SFR, Housing Voucher & Multifamily
- Addendum to Lease, Bed Bug, Mold & Community Rules and Regulations



# Pets Not Allowed

## *Who Let The Dogs Out – Baha Men (2000)*

- Certain Exceptions
- Additional Monthly Fee & Nonrefundable Security Deposit
- Addendum to Lease
- Service & Support Animals
- Reasonable Accommodation or Modification



# Tenant Default

## *Nobody's Fault But Mine— Led Zeppelin (1976)*

- Failure to Remit Rental Payment
- Default in Term & Condition of Lease
- Landlord Rights & Remedies
- Tenant Rights to Defend & Counterclaim
- Demand for Possession / Payment
- Dispossessory & Outcome

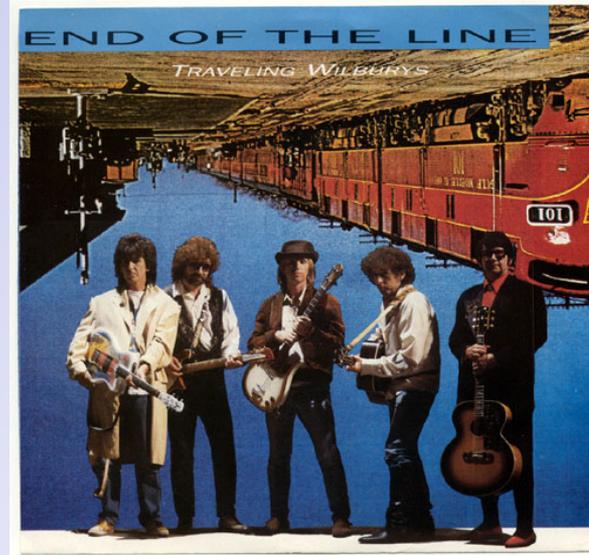


*“Oh, nobody’s fault but mine  
Nobody’s fault but mine  
Trying to save my soul tonight  
Oh, it’s nobody’s fault but  
mine.”*

# “Take Aways”

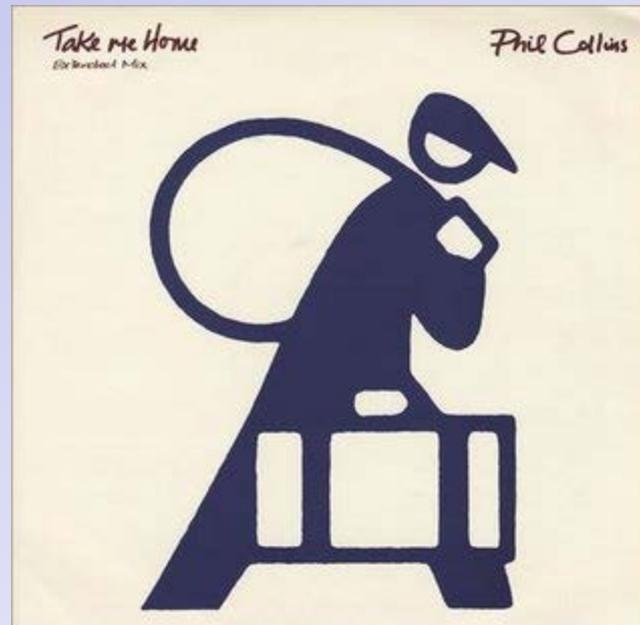
## *End Of The Line– The Traveling Wilburys (1988)*

- Due Diligence
- Face the Sun
- Communicate With the Landlord



# Questions?

*Take Me Home – Phil Collins (1985)*





## For More Information:

If you would like more information about the services of Pro Bono Partnership of Atlanta, contact us at:

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