

2-1-19 Hoping for Cooperation

Housing inspections are always kind of tricky. I am in the middle. I have a job to do and regulations to guide me. I always hope for cooperation, from both the renter, usually called the tenant, and the rentee, usually called the owner, or landlord.

There are benefits of renting. Someone else is responsible for repairs and maintenance. Most home owners are envious of that at some point. The same goes for owning a condo. If it is overseen by a good association and management company, then the maintenance is not your worry. On the other hand, it must be difficult to rent. You worry about rent being increased, a lease not being renewed. You might not like the owner. That could be weird.

When the day arrives for the occupant to bring to the owner's attention a concern of some sort, and they then share that concern with me, I always hope for a spirit of cooperation and appreciation. I hope that the owner appreciates a tenant who pays the rent on time, is keeping the place clean and it is not destroying the place. I hope the tenant appreciates the owner who is responsive with communication and with repairs and maintenance actions.

Appreciation is important because, as they say, "Better the devil you know..." If they can work through the difficulties and obstacles and time periods for repairs, the tenant continues to live where he or she has enjoyed doing so and the owner continues to have that clean, rent-paying tenant. Both sides get exactly what they wanted. That is worth appreciating!

Cooperation is necessary to get the repairs completed. Starting with communications, the two parties begin to plan. The owner is required to give "reasonable notice". While that is open to interpretation, at least twenty-four hours is generally considered reasonable. However, if more notice can be given, then do so, as it will be appreciated. The Golden Rule. Do unto others.

The tenant then has the predicament of whether he/she can make the necessary arrangements to be there. It is very understandable for the tenant wanting to be present in his or her personal space and to witness the work. However, and it is a big **HOWEVER**, it is not required. The owner is the owner and may have lined up a contractor who is only available on a certain day. Even if the tenant says, "No" to that date, the owner can enter for the work. The owner should explain why

that date is necessary and remind the tenant that this is serving as notice to perform work on a certain day.

Sometimes tenants forget that they don't own the house and begin to act as though they do own it. Oh, oh; not a good sign. Not good for them or for me, as I end up in the middle enforcing the State Sanitary Code and attempting to keep everyone calm and cooperative.

Will I have to "get tough" with the owner? I will if I must. That means going to court and requesting a date for a probable cause hearing. It is a serious matter with the housing court. I don't go unless I have exhausted all other means of getting the work accomplished. I bring in copies of my letters, a timeline and photos.

Tenants can also pursue a complaint with the housing court. They had best be prepared and have good reasons, for the court does not like to have their time wasted. They want what we all want: solutions.

It is ironic that if the tenant complains too much and does not cooperate with dates for work inside the property, the tenant may lose the very thing he or she was trying to preserve; a well-maintained home and stability of housing.

That brings me to trust. I want both the tenant and owner to trust that I know my responsibilities and will fulfill them. To better help them to understand that, knowledge is key. Sharing the booklets from the state entitled, *"The Rights and Responsibilities of the Landlord"* and *"The Rights and Responsibilities of the Tenant"* have been so helpful through the years.

Sometimes these pamphlets are read with selective vision. "Ooh, I can withhold rent!" tenants might read, dollar signs dancing in their heads.

And then we are back to communication, cooperation, appreciation and...following the law, rather than interpreting it and taking it out of context, or not completing the sentence regarding "responsibilities".

I am in the midst of one of these cases. Here's hoping for cooperation!

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