

# City of Harvey Rental Property Course for Landlords

## Protecting Tenant Safety as a Landlord & Legal Obligations

Landlords have a legal responsibility to protect their tenants. State and local security laws, as well as court decisions, may specify requirements for items such as deadbolt locks on doors, lighting, and window locks. Additionally, landlords are required to maintain their rental property and conduct regular inspections. They must also fix any potential security problems, such as repairing a broken lock.

### Duty to Repair and Maintain

All rental properties must be fit and habitable, meaning that the landlord must maintain the property throughout the rental term. Landlords have a duty to [repair and maintain](#) the property, including fixing problems that are reported by tenants. Any hazards that cannot be addressed immediately should be noted by the landlord, and tenants should be made aware of their presence through a written notification or posted signage.

### Landlord Liability for Crime

Landlords may be held responsible for criminal conduct on their property, especially if they did not provide adequate security. State and local laws may set forth specific security measures for rental properties. It is important to provide reasonable protection for tenants, including designing a security system, if necessary. Costly measures such as these can be much smaller than the costs resulting from crimes on the rental premises.

Individuals injured or affected by a crime, such as the operations of drug dealers, may sue the landlord under the theory that the rental property is a public nuisance. This legal doctrine involves a threat to public safety or morals, which poses an inconvenience to the rights of the community. If the landlord allows illegal activity to continue, police or federal authorities may assess fines.

### Adequate Security and Notice

Landlords may be held [responsible for crimes](#) perpetrated by third parties under certain circumstances, but they can limit their liability by installing adequate security features and keeping tenants informed of any safety concerns.

### Duty to Accommodate Disabled Tenants

Landlords must allow disabled tenants to make changes necessary to their full enjoyment of the premises. [Housing discrimination](#) varies in form and applies to non-disabled tenants as well. But particularly for disabled tenants, the landlord must reasonably

accommodate their needs. An example might include renting to a disabled tenant with a seeing-eye dog, thereby making an exception to the no-pets allowed policy. However, if an accommodation is unduly expensive or burdensome, the landlord is not required to make changes.

### **Methods of Limiting Landlord Liability**

Several precautionary steps can help landlords limit their liability in any lawsuit filed against them for tenants' illegal activity. First, all tenants should be screened carefully, and violent or dangerous individuals should be prevented from renting to the extent allowed by anti-discrimination laws. Second, landlords should include a provision in the rental agreement prohibiting illegal activity. It is important to maintain an awareness of suspicious activity, including frequent traffic and unknown vehicles visiting the rental premises. Tenant and neighbor complaints should be heeded, and a landlord who suspects suspicious activity should alert the police.

Landlords that employ a [rental property management](#) company, and particularly rental property managers, should conduct a background check. These managers may interact with the tenants, and they have master keys to the rental properties. If a manager hurts or steals from a tenant, the tenant may sue the property owner, in this case for not properly supervising the manager.

### **Explore a Personal Injury Center**

For more information about personal injury law, including [premises liability](#), visit a [Personal Injury Center](#).

### **Insurance**

A critical component in protecting yourself from liability for injuries or property losses as a landlord is to carry adequate insurance. You will need a commercial general liability policy, as well as property insurance. Additionally, if your property manager or another employee uses their own car to run errands for the business, it is important to have non-owned auto insurance. Note that while most policies will not cover intentional or illegal acts by you or your employees leading to liability, many will provide coverage for the costs of defending against such claims. Working with an insurance agent who is knowledgeable about rental property will help you to select appropriate coverage for your situation.

**I have read and acknowledge the above.**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_ **Harvey, IL 60426**