

Student Legal Services Answers Housing Questions

Student Legal Services is a University-run group of three lawyers that exists solely to aid students.

BY PAIGE AMMONS
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Staff Writers

Imagine an apartment fire ruins all of your possessions or items are stolen from your car parked in your apartment complex's dark parking lot. Who will help you recover your property?

Student Legal Services might have the answer.

UNC's legal services handles cases in which students feel that landlords or third parties are responsible for wrongdoing. SLS is a University-run group — consisting of three lawyers — with the specific purpose of providing legal assistance for students.

SLS Director Dorothy Bernholz said the office was started by students to serve the University community. "We were founded by students who wanted

their own lawyers," she said. "We serve over 2,000 students per year."

The legal services are made available free of charge to full-time students by funding from student fees.

SLS handles divorces, consumer problems, elimination of criminal records and fender-benders, but Bernholz said students who are having housing problems including property damage or contract violations often visit their office.

"(Housing incidents) are the largest percentage of problems we handle," she said.

Bernholz said students having problems with their landlord should review the terms of their apartment lease.

"It is often a matter of contract," she said. Bernholz said the two parties must follow the written agreements in the lease, and if a landlord does not cooperate, then SLS comes to the students' aid.

Property that is damaged can sometimes be recovered if it can be proven that the landlord has been negligent or is responsible for the damage.

For example, Bernholz cited a case in which a resident had complained to his landlord about a lack of lighting in the apartment's parking lot. When the resident's bicycle was stolen from the lot, the landlord was held responsible.

SLS helped the student win reimbursement.

Bernholz said SLS will not hesitate to take cases to court, but they initially file letters of request — stating the problem and

asking for reimbursement — which are usually accepted by the landlords.

She also said students should take preventative measures to avoid these situations.

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DOROTHY BERNHOLZ
SLS Director

Legal Advice 101

Student Legal Services is free to UNC students and offers a wide range of advice and services. The SLS employs three full-time attorneys and is housed on the second floor of the Student Union.

■ Who should visit Student Legal Services?

Students who have trouble understanding their lease
Students who need to fight for repairs, back rent and security deposits

■ What type of cases do SLS lawyers handle?

Cases of divorce, consumer problems, elimination of criminal records and fender-benders
Property damage or housing contract violations

■ How can someone contact SLS?

Call the SLS and make an appointment to speak to an attorney
Prepare a written statement of the complaint as well

SOURCE: STUDENT LEGAL SERVICES

business."

Students in need of legal advice should call SLS and make an appointment, Bernholz said, at which time they will be able to talk to one of three attorneys. Students should also prepare a written statement of the problem at hand.

Bernholz explained the foundations of SLS' legal procedures. "We offer preventative legal advice — what you should sign and what you shouldn't sign," she said.

At the same time, she said they do not shy away from legal action. "We absolutely go to court all the time."

Lawyers Offer Tips for Lease, Landlord Issues

BY KATY NELSON
Staff Writer

To join the 71 percent of UNC students living off-campus, first consult a lawyer.

Students seeking off-campus housing need to know their rights and responsibilities as tenants before signing a lease, according to Student Legal Services.

To name a few concerns, students should ensure security deposits are

returned following expiration of the lease, bear responsibility for property when subletting, and keep records of repair requests to prove landlord negligence, said Dorothy Bernholz, director of SLS.

Students should visit a lawyer in SLS,

which is free to fee-paying UNC students, if they have difficulty understanding their lease or need to fight for repairs, back-rent and security deposits, she said.

"It's better to let a lawyer look at the lease before signing. Don't assume anything," Bernholz said.

Most SLS casework is tenant/landlord cases. Legal action from SLS or even just the possibility of it can help students retrieve security deposits, since 10 percent of landlords do not return them despite damage-free premises, she said. "A lot of the time, it will just take a phone call from us to negotiate with landlords," Bernholz said.

Bernholz recommends negotiating leases with landlords before signing. Students should be careful, she said, to have enough parking places and make sure that the number of tenants is legal.

Chapel Hill town law, for example, allows only four unrelated tenants living together unless the premises have been leased to more than four people since 1989.

Bernholz also advised calling the towns of Chapel Hill and Carrboro for crime information on apartment complexes before moving into one.

Students should be sure the lease covers when the landlord can be on the premises pursuant to the lease, Bernholz said. The lease should specify that the landlord can only enter premises for repairs "after reasonable notice," she said.

There are many different kinds of leases in North Carolina, including oral leases, which Bernholz does not recommend. Most landlords in Chapel Hill

have written leases, however.

In dealing with roommates moving in and out, Bernholz advises renters to make sure that the new roommate joins the lease and that the departing roommate is released and given back her security deposit.

Steve Mills, a landlord in Chapel Hill, recommends that new tenants do a room-by-room inspection of the premises and make a list of incoming damages. Mills suggests taking pictures to ensure the security deposit is returned upon lease termination.

N.C. law requires that tenants give written notice requesting a repair, Bernholz said. It is a myth that student

tenants can withhold rent if repairs never happen. A visit to SLS is in order to seek damages from the landlord, which can be difficult without written repair requests, she said.

"Document all transactions with the landlord, and have a good, working relationship with the landlord."

Mills also advises buying renter's insurance, which is about \$115 per year, to deal with subletters in the summer. Mills said subletters are often not very considerate of tenant's property.

Landlords are not responsible for stolen property, he said, and tenants should cautiously enter subletting agreements, perhaps with a security deposit between lessee and sublessee. It is important for tenants to understand both their rights and responsibilities, he said.

"You are dealing with adult issues, and you need to educate yourself, even if your parents are paying the rent."

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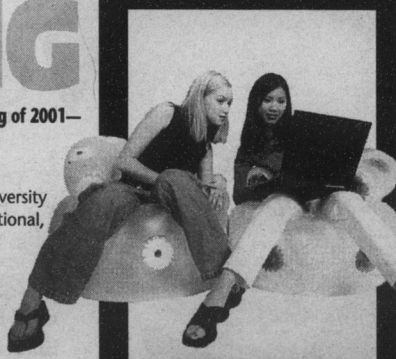
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