

Officials: Be careful with subleases

BY ADDIE SLUDER
FEATURES EDITOR

Subletting an apartment — having someone else take over a lease for a short period of time — is a popular solution for students who plan on being away for the summer.

But some considerations should be made before agreeing to sublet or be a sublessor.

"First off, if you plan to sublet or are thinking about it, you need to check your lease," said David Crescenzo, a Student Legal Services attorney.

Leases usually explicitly say whether a sublease is allowed, and many landlords require written notice.

If the lease does not say either way, a sublease is allowed, Crescenzo said.

In a sublease situation, the original renters essentially take responsibility for the sublessors and still have their obligations to their lease.

"In a true sublet, you become the landlord," Crescenzo said.

The biggest disadvantage of subleasing is that the original renter is ultimately responsible for any damage the sublessor does to the apartment.

"We suggest to people that they take a security deposit from their sub-tenants," Crescenzo said.

Because of the potential problems resulting from subletting and issues with claiming responsibility for damage, Crescenzo said the best sublease agreements are between people who already know each other and are able to trust that everyone will be responsible.

He said that he does not often deal with students who have prob-

lems resulting from sublease agreements but that it is important to be aware of the problems that can result from a sublease.

Student Legal Services provides contract forms that students can use when subleasing an apartment.

Though he said it is ideal to have a written agreement, an oral contract is equally binding if the lease is for a period of less than three years.

Crescenzo also said it is important for the sublessor to have a copy of the original lease as well because they are also bound by the tenant's contract.

Though subleasing is consid-

ered by some to be a good alternative to paying to terminate a lease early, he said the situation is far from ideal.

"The best possible thing is not to sublet at all."



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