

UNDERSTAND YOUR HOUSING RIGHTS

We talked to an attorney who spends his time making sure people understand their rights when it comes to housing.

BY NATHAN POPPE

>> Greg Beben gives great directions.

But not like Google Maps or Siri. As an attorney with Legal Aid Services of Oklahoma, Beben makes himself accessible with weekly office hours to clients at The Homeless Alliance. He advises everyday people on legal matters and makes sure low-income tenants understand their rights when it comes to housing issues. It's become normal for Oklahoma to see more than 20,000 evictions a year, and these are just the ones legally filed. According to Eviction Lab, our eviction rates are twice the national average with nearly 60 evictions a day.

Most people know that landlords have legal rights, but not everyone knows that tenants have rights, too. Far too often, individuals — especially those in poverty with limited housing options — enter into leases that are unfair or even predatory. Beben has seen everything from landlords who refuse to make repairs to people renting homes without basic utilities — or even walls — with the lure of a discount.

OKC's lack of affordable housing has left many desperate for a place to sleep. And without enough affordable housing units for everyone in need, people are more likely to enter into risky housing situations just to keep a roof over their head. Because of this shortage, some landlords are more likely to provide sub-par housing or unjustly evict low-income tenants leaving them with nowhere to go.

Recently, Beben had a client who quite literally lost everything

due to an illegal eviction. Not only did her landlord skip the eviction process entirely but also cleared her rental house of all her belongings while she was out of town. She had been away tending to her sick father. When she returned, her apartment was empty. It was a case of bad timing, and big trash day made it easy for all her possessions to get carried off to the dump from the curb.

She called Legal Aid at 888-534-5243. Before long, Beben's client was in small claims court. She wasn't alone though. She was accompanied by the advice Legal Aid shared and received the maximum judgment of \$10,000. She's also getting help handling the landlord's appeal.

"That case just highlights that in a lot of these situations — if you just give people a little bit of advice — they don't need an attorney with them in court," Beben said. "They can go to enforce their rights."

Another case that stuck out to Beben involved a client who's legally blind. The client found a rent-to-own property via Craigslist. Initially, he was shown one home by the landlord. But after signing some misleading paperwork, he was then delivered to a different, rundown property.

"I went there," Beben said. "It didn't have any electricity. Some of the walls were down, and you could see wood beams through the rooms. Piles of trash everywhere ... I was furious and wanted to make a big case of it."

In the end, the client just wanted his money back because the litigation could've taken years. Cases like these are probably going to continue. Why? OKC is a landlord's market. The lack of affordable options makes fighting back more difficult for poor renters. Plus, a lot of renters don't fully understand their rights.

"There are a lot of good landlords in Oklahoma City," Beben said. "We just never hear about them because our clients aren't complaining about the good landlords."

Greg wishes more clients were handed a copy of the Oklahoma Residential Landlord and Tenant Act, the legal framework for leasing and dealing with a landlord. If you rent, you should read it. You don't have to know all the ins and outs, but there are broad lessons you can pull from the Landlord and Tenant Act. It's available online.

"Every tenant should know written notice is key," Beben said. "Once a renter gives written notice of a problem to their landlord then that's a legal record. Without that, it's harder to be protected in court. It works both ways. Before a landlord can take you to court, they've gotta give you a written five-day notice."

Getting things in writing is the smartest way to track problems with a rental property. Email is usually the easiest way to keep record of communication because of the digital timestamps created with every message.

"We're here to help people without resources and these scams seem to be targeting our poorest, most desperate people," Beben said. "There's one company that has flyers offering a discounted rent program. To get that, tenants have to conduct repairs that would otherwise be the landlord's duty entirely on their own. Even if tenants do choose to sign these leases, that doesn't mean they're lawful."

Rent-to-own properties often present challenges to vulnerable tenants. Some landlords aren't even interested in long-term renters. They're just looking to collect on large down payments from tenants they know will fall behind on rent. Greg remembered one client who paid \$15,000 upfront. She fell behind on payments and was threatened with eviction.

Luckily, she noticed something odd about her mail. A lot of it was addressed to other people who'd also made down payments on the same property. The client was one of several people who'd been deceived. Beben helped her get her money back because this wasn't a year-long lease at an apartment. It was a home. But it still should've been more difficult for the landlord to evict her, he said.

Like experiencing homelessness, nobody should have to face these difficult situations alone. It might be a landlord's market, but that's no match for a community dedicated to fair housing practices.

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