

NAVIGATING UNHEALTHY AND UNSAFE HOUSING CONDITIONS

What Care Teams Can Do to Help Tenants Advocate for Healthy Housing

Under the Rhode Island law, all tenants have a right to a decent, safe and sanitary place to live. Unfortunately, this is not the reality for many tenants. Tenants experience all types of unhealthy and unsafe housing conditions such as a lack of hot water, broken appliances, or pest infestations. Care teams can use this tool to help tenants improve unsafe housing conditions.



How to help tenants address unhealthy and unsafe housing conditions

FREQUENTLY ASKED QUESTIONS

? Encourage the tenant to document the conditions

documenting conditions by taking pictures with date stamps creates a timeline for when the problems arose. Tenants can also keep a dated log and description of all their communications with their landlord including those that happen by text or in face-to-face conversations.

? Help the tenant prepare for the inspection

Care teams can share this U.S. Health and Human Services [housing inspection check-list](#) with the tenant to prepare for the inspection by identifying each unhealthy and unsafe condition to inform the inspector. Tenants should take pictures of the conditions. Tenants should prepare for the inspector's visit by tidying up the apartment so that nothing distracts from paying attention to the unhealthy or unsafe conditions. Tenants should not clean away the conditions that the inspector is there to see, whenever possible and safe. For example, mouse droppings or mold shouldn't be left for months, but tenants might consider not cleaning them up the day before an inspection.

Provide information about the right to request a housing inspection

Each city or town has their own towns and cities housing inspector as part of their Minimum Housing department. Municipalities have the authority to hold landlords accountable for housing code violations (<https://www.ri.gov/towns/>). Care teams can make calls with tenants to their city hall to request the inspection. Code inspection contact information is located on each town or city website.

? Help the tenant write a letter to the landlord about the housing conditions

Care teams can help tenants to contact their landlord in writing (email, text or mailed letter) to inform them about the unsafe conditions. Letters must say:

- What is wrong and needs to be fixed.
- That landlord has 20 days to fix the condition (unless it is an emergency, but written notices is still required).
- Tenants can make their own repairs and deduct their costs up to \$500 from their rent. If tenants use the "Repair and Deduct" rule, they can write a letter to their landlord about their plan to use the rule. Tenants should keep all receipts.
- If the tenant wants to end the lease that needs to be in writing too.

Tenants should keep receipts if they use the repair and deduct rule, and they can deduct the expense from the next month's rent.

? Share legal resources

If the landlord still refuses to make the necessary repairs, the care team can connect tenants to lawyers. [RI Legal Services](#) and the [RI Center for Justice](#) offer to eligible clients free legal services. The [RI Bar Association](#) may also provide referrals to private attorneys.



FREQUENTLY ASKED QUESTIONS

? What type of protections do tenants have for healthy and safe housing?

Under Rhode Island law, tenants have the right to a habitable apartment, meaning that its safe for people to live in and occupy. Landlords must ensure that both common areas and rental units are maintained. For example, rental units must have electrical, plumbing and sanitary conditions that are functional and up to code. Homes must not have peeling or chipping paint, missing hand railings, window screens or electrical outlet covers. For more information generally about tenant's rights, care team members can share the RI Legal Service's [Your Rights as a Tenant](#) publication or the [RI Landlord Tenant Handbook](#).

? Can a landlord retaliate against a tenant for reporting unhealthy and unsafe housing conditions by evicting the individual or raising their rent?

No. In Rhode Island, [retaliation is illegal](#). A landlord cannot raise rent or evict a tenant because they request their landlord to fix unhealthy and unsafe conditions or contact the board of health. If the landlord tries to evict within six months of the tenant reporting the unhealthy and unsafe conditions, the court will consider this retaliation unless the landlord can prove other-wise.

Even though retaliation is illegal, it still happens. Care teams can provide information to tenants about their rights so that tenants can make decisions about whether and how they might chose to assert their rights.



? How can I support a tenant whose child under 6 tested positive for lead?

Tenants with issues of lead in their apartments may get more information from the [Rhode Island Department of Health](#) and the [Childhood Lead Action Program](#).

Sometimes a referral for an elevated blood level in a child under 6 years old will lead to home visits and inspections and other interventions from the state. Care team members can help the family navigate this process.

? What if tenants live in Public Housing?

Tenants living in public housing can also file a grievance complaint about bad conditions with their [local housing authority](#). Federal Public Housing tenants can find more resources on [HUD's website](#).

Resources

? To help someone find legal help:

Refer to [RI Legal Services](#) (rils.org), RI Center for Justice (centerforjustice.org), or the [RI Bar Association](#) (ribar.com).

? To find Minimum Housing contact information and/or to request a code inspection:

Use [this directory of city and town websites](#) (ri.gov/towns).

? To help tenants learn more about healthy housing:

- [Childhood Lead Action Program](#).
- [Rhode Island Department of Health Lead Program](#)
- [Home Asthma Response Program](#)