

**SR020419**

**The Tenants Rights Resolution**

T.J. White, Off Campus Senator  
Mike Stanaitis, Tappan Hall Senator  
Alex Quay, Fraternity Senator  
Lauren Merker, Off Campus Senator  
Stephen Pauwels, Off Campus Senator  
*Author*

John Litchfield, Off Campus Senator  
Ryan Shrou, ASG Treasurer  
Juliana Johnson, Off Campus Senator  
Jessica Kline, Off Campus Senator  
Debbie Tschofen, Off Campus Senator  
Charles Elsea, Emerson Hall Senator  
The Ohio Council of Student Governments??  
*Sponsors*

*Date Submitted to the Student Senate*

- Whereas:** At schools across the state of Ohio, many college students choose to rent apartments or houses in the vicinity of their respective campuses during the academic year, (these students shall be defined as “off campus students”) and;
- Whereas:** While renting is a choice college students make as opposed to living in residence halls (residence hall students are defined currently by the state as ‘student tenants’), the sheer availability of space in residence halls is often insufficient in relation to the number of enrolled students at a given school. This therefore making the existence of off campus housing a necessity, and;
- Whereas:** Most landlords are responsible, seeing to the needs of their tenants, keeping their residencies up to code, and charging reasonable rates. However, there is documented evidence across the state that in certain instances, there have been abuses in the landlord-tenant relationship, and;
- Whereas:** Off campus students are unable to exercise their current rights under Ohio law due to a variety of reasons, which are displayed in, but not limited to, the following common examples:
- A. For students of Miami University, the vast majority of available housing is leased on a semester-by-semester payment basis. This makes students unable to sequester rent (ORC § 5321.07) in the event a landlord is not upholding his side of a rent contract signed with the renter.
  - B. Off Campus students at the University of Cincinnati have had ongoing issues with non-responsiveness of landlords in regards to obvious and potentially dangerous maintenance issues.
- Whereas:** While litigation is an oft used remedy to the issues shown above, affordability is an issue. According to information provided by the Ohio Board of Regents, the average tuition of an in-state college student in the state of Ohio has increased by 11.38% between the 2002-2003 School year and the 2003-2004 school year, and has increased by 27.32% since the 2001-2002 school year. According to the Tenant Information Project at the University of Cincinnati, the cost of a lawyer for a landlord/tenant dispute runs at roughly \$200/hr. Therefore, it is logical to conclude that in order to assure the accountability of landlords through litigation, providing financial relief to off campus students is prudent, and;
- Whereas:** With landlord accountability, the threat of blight is reduced, and property values will rise in the surrounding community. Among other things, this will lead to a greater tax base, and a lesser chance of liability toward property owners for potential injuries incurred due to property maintenance issues, and;
- Whereas:** In Ohio, as in many other states, scholarships are given to students. Often times, these scholarships are funded by trusts, where the interest off of an initial payment pays for the scholarship. A “Legal

Defense Fund” could be funded in such a way, and could be used by off campus students in order to expedite litigation, thereby holding certain irresponsible landlords accountable.

- Therefore Be it Resolved:** That an enrolled college student who rents from a local<sup>1</sup> landlord, who is operating independent of the administration of a university, for the purpose of shelter during the period in which he or she is attending school shall be defined as an “off campus student tenant.” We encourage the state of Ohio to add the term “Off Campus Student Tenant” to its list of definitions in ORC § 5321.01<sup>2</sup>
- Further Be it Resolved:** That the Associated Student Government of Miami University, as well as the Ohio Council of Student Governments, asks Governor Taft and The General Assembly of the State of Ohio make efforts so that college students who rent have the ability to exercise their current rights as expressed under Ohio law. We call for the establishment of a College Tenant Legal Defense Fund, so that off campus students have the ability to pay for litigation against landlords in the event that their rights are being violated.
- Further Be it Resolved:** That a copy of this resolution be sent to the local State Senator, State Representative, and to Governor Taft
- Further Be it Resolved:** That the Student Governments of The University of Cincinnati, The Ohio State University, The University of Akron, Shawnee State University, and Wright State University enact similar resolutions in regard to landlord-tenant rights.

---

<sup>1</sup>‘Local’ for this occasion is defined as including landlords who owns a property in the vicinity of a college; a property that is rented to students.

<sup>2</sup> In this resolution, the terms ‘landlord’ and ‘student tenant’ shall be defined pursuant to ORC §5321.01