Renter's Rights and Responsibilities

The purpose of this brochure is to define both your rights as a renter and your responsibilities to your landlord and community to be a good steward of the property you are renting as well as the neighborhood in which your rental property is located.

brookings
HUMAN RIGHTS COMMITTEE

Civil Rights

You cannot be refused rental housing or be given unequal treatment with respect to finding, obtaining, occupying or enjoying rental housing because of your race, religion, color, creed, sex, national origin (does not include citizenship), ancestry, marital status, sexual orientation, or disability. **If you feel you have been subjected to discrimination, contact the Brookings Human Rights Committee at (605) 692-6281.**

Security Deposit

A landlord may require a security deposit. It may not exceed one month's rent unless "special conditions" exist which pose a danger to maintenance of the premises; i.e. waterbed or pet.

When a tenant moves out, the landlord is required either to return the deposit or to provide a written statement showing the specific reason for not returning it. **This must be done within two weeks after the termination of the lease and the landlord's receipt of the tenants new mailing address.** If the landlord withholds the deposit the tenant may demand an itemized account of the deposit withheld. This must be provided within 45 days of request.

Inspection of Premises

It is recommended that you inspect the property **prior** to signing the lease. You should use a checklist noting the condition of all rooms. It is also advised that you take photos of every room and any other areas that you are responsible for according to the lease. **A sample checklist is available on the Brookings City Website at www.cityofbrookings.org/renterschecklist.** This checklist should be signed and dated by the landlord AND all tenants listed on the lease.

Notice of Eviction

The only lawful way to evict a tenant is for the landlord to obtain a court order signed by a judge, unless the tenant has abandoned the rental unit. A tenant must be given three days notice to vacate before an eviction action can be initiated by the landlord.

Renter's Insurance

Do not assume that your possessions are covered by the landlord in case of fire or water damage or other disasters. You should consider renter's insurance. Renter's insurance is designed to protect you from this type of problem and is available at a fairly inexpensive rate. For more information contact an insurance agent. You can often get it at a discount if it is bundled with your auto insurance. You need to be sure you understand what your policy covers and what you need to do in order to submit a claim.

RESOURCES

SDSU Off Campus Housing	(605) 688-5916
Community Development	(605) 692-6629
Human Rights Committee	(605) 692-6281
Brookings Police Department	(605) 692-2113
SDSU Legal Aid	(605) 688-5181
East River Legal Services	(800) 952-3015
County Finance	(605) 696-8250
Snow Removal	(605) 696-SNOW (7669)

FINANCIAL ASSISTANCE

Heating:

Interlakes Community Action	(605) 692-6391

Rent:

Brookings Housing Redevelopment	(605) 692-1670

Welcome to the greater Brookings Community. Our mission at the Human Rights Committee is to represent the community at large and to provide a forum for those subjected to unfair and discriminatory practices in the City and County.

brookings
HUMAN RIGHTS COMMITTEE

Brookings City & County Government Center
520 3rd Street, Suite 230
PO Box 270
Brookings, SD 57006
(605) 692-6281
humanrights@cityofbrookings.org

Frequently Asked Questions

Read Your Lease!

Can the landlord use a pass key to my apartment?

Read your lease. Emergencies may be an exception.

Can the landlord inspect my apartment?

Only if your lease allows it.

Do I have to give notice when I move out? When? What if I don't?

It depends on your rental agreement. Read your lease!

If I don't have a written lease, am I free to move out whenever I want?

Probably not. Most oral agreements are enforceable in court.

Can my rent be raised?

It depends on the type of rental agreement you have. If your landlord attempts to raise the rent, you should contact an attorney. If you are an SDSU student, you should consult with the SDSU Legal Aid Attorney, (605) 688-5181 (free service to students).

Keg Ordinances

According to Brookings City Ordinance 10-91, no more than 1 keg may be possessed by any person in the City within the premises of any dwelling and yard, sorority, fraternity, boardinghouse, apartment unit, apartment hallway or common area, or adjacent yard. A permit is required to purchase 2 or more keg in the city within any 24 hour period. Permits may be obtained at the Municipal Liquor Store, 780 22nd Avenue South, (605) 692-5613.

Front Yard & Boulevard Parking

Front yard parking and boulevard parking is prohibited in the City and subject to a fine.

Disturbing the Peace

City Ordinance reads: "No person shall disturb or cause to be disturbed the peace of the city or of any person by violent, tumultuous or offensive conduct, or by loud or unusual noise or by profane, obscene, indecent, violent or threatening language, or by assaulting, striking or attempting to assault or strike another person, or inviting or defying another person to fight or quarrel, or by engaging in a fight with another."

Any person in possession and present in any premises where a breach of peace by loud or unusual noise occurs is deemed to have caused the breach of peace (i.e. **you can be criminally charged for the conduct of your guests**).

License Plates

South Dakota has a staggered automobile license system. Automobile license expiration is determined by the first letter of the last name. License plates can be renewed 60 days prior to the expiration month. Fees are determined by the year & weight of the vehicle. For more information, call the County Finance, 520 3rd Street, (605) 696-8250.

Service Animals and Emotional Support Animals

Service animals are working animals that are individually trained to do work or perform tasks for the benefit of an individual with a disability. Emotional support animals provide emotional support, well-being, or companionship, to alleviate symptoms of a disability, but are not individually trained. However, the rules for service and emotional support animals are not the same.

Landlords covered by the Fair Housing Act must allow an exemption to a "No Pets" policy for a tenant that has a service animal or emotional support because of his or her disability; unless the animal would create an undue burden or it would be a fundamental alteration of the service provided. Additional information regarding rights and responsibilities is provided on the Brookings Committee for People who have Disabilities website:
www.cityofbrookings.org/index.aspx?nid=154

Landlord Responsibilities

The landlord is required to maintain all electrical, plumbing and heating systems **as required by State law**. City requirements include smoke detection, escape windows in all sleeping rooms and adequate on-premise parking. If you are concerned about the condition of your rental property or the landlord's refusal to address the above issues, please call the Community Development Department at (605) 692-6629.

Parking & City Snow Removal Policy

If a snow removal parking ban has been declared it is unlawful for the driver or owner of any motor vehicle, trailer or implement to park on any city street, avenue or alley in the City. Motorists will receive a minimum of four hours notice. Parking may not resume until the streets are cleaned curb to curb. Residents may call 696-SNOW(7669) or tune to local radio stations (KBRK-AM 1430, B93.7-FM, KJJQ-AM 910 or KKQQ-FM 102) for notification of snow removal operations. If you would like to receive a text and/or email every time a parking ban has been declared, please sign up at www.cityofbrookings.org, Notify Me, Alert Center.