



GLOSSARY OF RENTAL HOUSING TERMS

AGREEMENT – Any items and conditions that two people consent to or agree to. In rental property, a rental agreement can be either verbal or written.

ANSWER DAY – In the eviction process, the ANSWER DAY is the first Monday before the case is to be heard in court. It is the day by which the tenant must file an Answer or defense to the eviction claim. This date can be found in the summary process and the complaint served to you.

APPLIANCES – Refers to the refrigerator, stove, oven, or other household machines that may be part of the rental of an apartment.

CLAUSE – A sentence or paragraph in a lease or other document that refers to a certain topic. A lease is made of a number of CLAUSES, provisions, or paragraphs, which summarize the terms and conditions of the tenancy.

COMMON AREAS – In a building that contains more than one dwelling unit, the parts of the building that are not contained in one of the separate dwelling units make up the COMMON AREAS. This can include hallways, porches, entryways, stairs, etc.

COUNTERCLAIM – When one person (Plaintiff) brings a lawsuit against another (Defendant), and the Defendant responds with claims against the Plaintiff, this action is known as a COUNTERCLAIM. It is the action brought by the second person against the original claimant within the same legal proceeding.

DEFAULT – When one party to a lawsuit does not answer or appear in court to present their case, the other party generally wins by DEFAULT.

DEFENDANT – The person who is being sued by another. When someone takes you to court or brings legal action against you, you are the DEFENDANT.

DOCUMENTATION – Proof of something, generally written items such as leases, contracts, receipts, or other papers.

DWELLING UNIT – Another term used for apartment or house; a place where people live.

EVICITION – The legal process by which a tenant is forced to vacate a place that s/he is occupying and an owner regains possession.

EXECUTION – In the eviction process, the final paper that is given by the court to a landlord that allows him/her to hire a sheriff to physically remove a tenant from a building is called an EXECUTION. An EXECUTION is not given until after the court hearing and the final judgment has been made. Also known as a WRIT OF EXECUTION.

HABITABILITY – The condition that makes the dwelling unit suitable or appropriate for living.

HEARING DAY – The day when a legal case is presented to the court; the day when both sides of the dispute get to tell their stories to a judge; also referred to as COURT DAY.

JUDGMENT – After a judge has heard all sides of a legal dispute, s/he will make a decision or JUDGMENT. This decision will be final unless one party to the dispute appeals to a higher court.



LEASE – A written document that defines the terms and conditions of a tenancy and which includes a beginning and ending date. If there is no ending date, the agreement is not a lease and does not create a tenancy-for-years.

LESSEE – The tenant; the person who is renting or leasing the dwelling unit.

LESSOR – The landlord; the person who owns or manages the dwelling unit and is leasing to a tenant.

LET – Another word for rent; to LET means to rent or lease.

NOTICE TO QUIT – A statement sent by a landlord to a tenant formally requesting that they vacate or leave the rented premises.

OCCUPANT – A person who is in possession of a dwelling unit; any person who lives there.

POSSESSION – The control over a dwelling unit; for example, a landlord sends a notice to quit for POSSESSION to a tenant when s/he wants to regain control of the unit.

RENTAL AGREEMENT – A statement of the terms and conditions of tenancy; the difference between a lease and a RENTAL AGREEMENT is that the RENTAL AGREEMENT does not have a specific ending date and therefore creates a tenancy-at-will rather than a tenancy-for-years. It may be verbal or written.

RENTAL PERIOD – The interval for which the tenant “buys” the right to reside in a rental unit each time s/he pays his/her rent; usually one month.

RETALIATORY – An action, which is taken in response to or as a reprisal or as revenge for another action is a RETALIATORY action.

SECURITY DEPOSIT – An amount of money paid by a tenant to a landlord to cover unpaid rent or damages at the end of the tenancy.

STANDARD CONDITION – This refers to the minimal physical condition that a rental unit must be in as defined by Chapter II of the State Sanitary Code and other state and federal codes and quality standards, as applicable.

SUMMARY PROCESS – This is the formal legal term for the eviction procedure.

SUMMONS – A legal document that requires a person to come to court for a specific reason.

TENANCY – A holding, or use, of a dwelling unit under a lease or rental agreement.

TENANT – The person who is renting from a landlord or owner.

TERM – This can mean the period of time which is covered by a lease or rental agreement. It can also mean the conditions under which the tenancy is created; that is, the “rules” of the tenancy, which have been agreed to, by tenant and landlord.

UNINHABITABLE – Not fit to be a place of residence.

WAIVER – An intentional giving-up of a right or interest. You may be waving goodbye to your rights if you sign a WAIVER of them.