

Landlord Tenant Review

If you live in rental housing in West Virginia, here are some important rights you have under the law:

- You have the right to live in decent housing at all times.
- Your landlord is required to maintain your housing in a fit condition from the time you move in until the time you move out.
- You have the right to complain about unfit housing conditions to your landlord or to the local government agencies, such as the building code inspector, Fire Marshal, or health department.
- Your landlord cannot evict you in retaliation for complaining about unfit housing conditions.
- You have the right to file a civil suit against your landlord to enforce your right to decent housing and to ask for money damages if your rights have been violated.
- Although it is best to be represented by a lawyer, you have the right to file a suit on your own without a lawyer.
- If your landlord files a suit to evict you in magistrate court, you have the right to remove your case from magistrate court to circuit court.
- You have the right to file a counterclaim for money damages against your landlord if your rights have been violated.
- You have the right to have your case decided by a jury either in magistrate court or circuit court, but not both.
- If your case is decided in magistrate court, you have the right to appeal to circuit court within 20 days if you disagree with the decision.
- It is unlawful for the landlord to refuse to return your damage or security deposit without just cause.
- If you have a written lease or rental agreement, or if you live in subsidized housing, you may have many other rights and protections.

If you need any further assistance, call WV Legal Aid at 1-800-642-8279.