

# Increase renter protections from landlords who fail to maintain safe properties or file frivolous evictions

## BACKGROUND

Tens of thousands of Oklahoma families face eviction each year. Despite relatively low housing costs, Tulsa and Oklahoma City have some of the highest rates of eviction among the country's metropolitan areas. Low-income Oklahomans, especially poor women of color with children and victims of domestic violence, are the most vulnerable to eviction. Eviction causes long-lasting instability for families, as adults find it more difficult to find and keep work and children are more at risk of dropping out of school.



Many Oklahomans at risk of eviction live in substandard housing that poses serious health risks, but they have little ability to force landlords to maintain healthy, safe housing. For example, a family living in a house with sewage backup may try to withhold rent until their landlord addresses the problem. Under current law, tenants may only withhold \$100 from their rent to fix an issue that a landlord fails to address, an amount that is inadequate for many health-threatening problems that can arise in poorly maintained housing.

## THE SOLUTION

The Legislature should amend the Landlord and Tenant Acts to give more power to renters. After the time has expired for landlords to address an issue, tenants should have the right to repair conditions and deduct the full costs of repairs from their rent. The law should also be amended to allow fines and other punitive measures for landlords who fail to provide habitable premises.

The Legislature should also consider increasing filing fees on small claims cases. Most small claims cases are evictions filed by landlords, who sometimes file month after month against the same tenant as a means of collecting exorbitant fees. This practice is devastating to low-income families. Because virtually no defendant in an eviction case can afford legal representation, very few know their rights or can help themselves through the legal system. Raising the small claims filing fee could discourage frivolous eviction filings while helping to finance the courts or legal help for low-income defendants in civil cases.

## WHAT YOU CAN DO

Contact your state Representative and Senator and urge them to increase renter protections in the Landlord and Tenant Acts. Ask them to protect renters who withhold rent when landlords fail to maintain safe housing, and ask them to increase the filing fee on small claims cases to prevent frivolous eviction filings.

You can look up your Senator and Representative on our website under the “Advocacy” tab on our main menu. You can also call the House switchboard at 405-521-2711, and the Senate switchboard at 405-524-0126.

To join the grassroots coalition of Oklahomans working to connect Oklahoma values with better budget and tax priorities, visit [www.togetherok.org](http://www.togetherok.org). To receive SMS advocacy alerts on important economic security issues, text **OKECON** to 51555.



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