



**Vince Ryan**  
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**FOR IMMEDIATE RELEASE**

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**County Attorney Vince Ryan advises Hurricane Harvey Flood victims: Know your rights**

The recent floods in the Harris County area have been a nightmare for many families struggling to clean up the mess and have repairs made. The Office of Harris County Attorney Vince Ryan offers the following tips to flood victims who rent their apartments or homes:

- If your apartment is unlivable, you have the right to terminate your lease by giving your landlord written notice and obtain a refund of the unused portion of the rent you have paid plus any security deposit that is owed to you. You cannot be charged a penalty for terminating the lease due to unlivable conditions.
- If your landlord offers you another unit because yours is unlivable, you are not required to accept it. If you do accept a new unit, you are not required to enter into a longer lease for the new unit.
- If your apartment is partially damaged, first provide written notice to your landlord of the repairs needed. Make sure you are current on your rent. The landlord is not required to make repairs if you are not current on your rent.
- If your apartment is partially damaged, you may be entitled to a reduction in your rent in proportion to the extent the apartment is unusable. Talk to your landlord. If you cannot reach an agreement, do not withhold any portion of your rent. You may have to file suit seeking a rent reduction. Withholding rent is almost always a bad idea.
- Your landlord is not required to start making repairs to your unit until after the landlord's insurance company pays him or her for the damage. The bad news is that you must continue to pay rent while you wait for the repairs.
- If the landlord has had a reasonable amount of time but failed to complete repairs, send a second notice to the landlord with a request for an explanation of the delay and explain that you will terminate the lease unless repairs are made or repair the damage yourself and deduct the amount from your rent. You should consult an attorney if you intend to repair the damage yourself.
- You may want to consult the "Tenants' Rights Handbook" published by the Texas Young Lawyers Association and the State Bar of Texas.
- If you have any questions or need additional information please contact the [Office of the Harris County Attorney](#), 713-755-6065.