



RENTAL PAYMENTS & ROOMMATES

WHO IS RESPONSIBLE IF ROOMMATE DOES NOT PAY THEIR AGREED SHARE OF RENT?

Responsibility depends on the stipulations of the lease agreement. There are different classification for each lease. Regardless of who pays the rent, the landlord asks for a full payment. Below are the most common types of lease agreements.

ON THE SAME LEASE (CO-TENANTS)

Tenants are on one lease and are co-tenants. They are equally responsible on the lease, which includes making rental payments in full and on time. If the landlord chooses to pursue action such as terminating the lease or eviction, it applies to all tenants in the unit.

INDIVIDUAL (PER-BEDROOM) LEASE

This lease is common in communal units such as university off campus housing. Tenants that are in the same dwelling but are separately responsible for their own lease. This mean that no tenant is liable if another does not pay, only the individual and their own lease.

SUBLEASE

The landlord is considered either the owner, lessor, or sublessor of the dwelling. If the tenant decides to sublet the dwelling, they must get approval from the landlord. If approved, then the subletter would pay rent to the tenant. The tenant would then be responsible for all payments even if their subletter does not pay.

ORAL LEASE

The lease does not have to be in writing if the length of it is less than a year. It is recommended that a written lease be done as it is harder to dispute something that was only verbal. Written leases have details on responsibilities and other important terms. For a verbal lease keep records of text, email or other communications, it may be used for disputes.

NO LEASE

No lease in place or the lease term expired. It is standard for this type of lease to be a month-to-month. If the rent is month-to-month, termination or changes can happen within 30 days.



CAN ONLY MY ROOMMATE BE EVICTED IF THEY DONT PAY?

If the roommate is on the same lease, then they cannot be evicted on their own. They have rights by being on the lease agreement which allow them to remain in the unit.



CAN I CHANGE THE LOCKS ON MY NON PAYING ROOMMATE?

The landlord's permission is needed in order to change locks. However, legally any person that is on the lease has the right to have the new key. That includes non-paying roommates.



CAN I PURSUE LEGAL ACTION AGAINST MY ROOMMATE FOR UNPAID RENT?

Leaseholders do have the right to sue a roommate. This has to be done in a justice of the peace / small claims court. The plaintiff will have to show documentation proving any agreements of shared rent.



WHERE CAN I FIND A COURT?

Harris County has several justice of the peace courts. Locations and more information can be found by visiting their website.

www.jp.hctx.net

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TENANT EDUCATION

For more information and tenant education documents, visit the At-Large 4 Tenant Education website by scanning the QR code.