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Beware of Working for your Landlord Instead of Paying Rent

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Tenants sometimes call LawNY® because they are being evicted for nonpayment of rent, even though they worked for their landlord, who agreed to credit them for their work. Sometimes, the work involves cleaning an apartment left dirty by the former tenant, making minor plumbing repairs, or repairing a hole in the wall. Sometimes, the work involves a lot of time and expense for the tenant.

The problem with these agreements is that the landlord and the tenant usually do not sign anything in writing. It is hard to prove to the judge that the landlord agreed to waive the rent in exchange for the work. Another problem with these agreements is that the landlord and the tenant seldom agree on how much the tenant makes per hour. This means it is hard to know the value of the tenant's labor and how much less rent they should pay.

Another problem is that an agreement for repairs improperly requires the tenant to ensure the home is safe and livable. This is always the landlord's responsibility, unless the tenant caused damage. You should not move into a rental home that is unsafe or needs repairs.

If you want to work for your landlord to lower your rent, be sure to agree on how much your labor is worth. You should get at least minimum wage for your work. You need a written agreement for the time and value of the repairs. There should be two originals so that the landlord and the tenant have an original with the date of the agreement. You should keep track of your time and receipts for materials.

Please also note that there may be tax or other implications to rent reductions in exchange for work.

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This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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