

Tips for a Sustainable Agreement

The key to writing a sustainable agreement is clarity. We are providing these tips for landlords and tenants who are trying to negotiate an agreement and avoid the cost and burden of a legal process in court.

Tips (in no particular order)

- Write for the future reader. In other words, someone who knows nothing about the situation should be able to understand what the tenant is supposed to do, and what the landlord is supposed to do.
- Identify the parties by their names.
- Use simple words.
- Be specific as to *who* will do *what*, *when*, *where*, *how* and *what if*. Example:
 - Tenant, Ms. Smith, will vacate the unit by noon on Friday, January 28, 2022, and will deliver the keys to the management office before closing time, which is 5:00 PM.
 - Landlord, Ms. Jones, will send a plumber to the unit within 10 days to fix the leaking faucet. Ms. Jones will provide at least 24 hours' notice to Ms. Smith.
- Balance the terms, even if it appears that one party is doing everything. Example:
 - Ms. Smith will make payments as indicated in the Payment Schedule. Ms. Jones will accept payments in the Schedule as full payment of rent arrears.
- If you are using the "Payment Schedule" table on the template be specific about the purpose of the payment. Separate out payments for rent, arrears, utilities, fees, etc. Separate payment dates are useful.
- Be realistic about the time frame.
- The agreement may include a contingency plan outlining what will happen if one of the parties is unable to follow through with their part of the agreement. Examples:
 - If Ms. Smith is not able to make a payment for any reason (such as missing work due to Covid), she will call/text/email Ms. Jones before the payment due date to determine another due date.
- Do not blame or establish guilt. Here are some examples of what NOT to say:
 - Tenant failed to pay rent for six months.
 - Landlord refused to fix the broken window.
- Be sure to date and sign the agreement and make sure both the landlord and the tenant have a copy.

THANK YOU!