

RETALIATION PROTECTIONS FOR TOLEDO RENTERS

Know Your Rights Under Ohio Law and Toledo's LeadSafe Ordinance

If you've complained to your landlord about problems in your rental — and then suddenly faced a rent hike or threats of eviction — that could be **illegal retaliation**. Ohio law and Toledo's local law provide protection to tenants who speak up. This handout explains what those protections are and how to use them.

WHAT IS RETALIATION?

Retaliation is when a landlord punishes you for exercising your legal rights as a tenant. Ohio's Landlord-Tenant Act specifically prohibits landlords from retaliating against tenants for any of these protected activities:

- **Reporting a code violation** — You reported a building, housing, health, or safety violation to a government agency (such as the City of Toledo) that materially affects health and safety.
- **Requesting required repairs** — You asked your landlord to make repairs or fix conditions that the law requires them to maintain.
- **Organizing with other tenants** — You joined with other tenants to collectively negotiate with your landlord about the terms or conditions of your tenancy.¹

If you engaged in any of these activities, your landlord cannot legally respond by:

- Raising your rent;
- Cutting off services that were previously provided to you; or
- Threatening or attempting to evict you.

TOLEDO'S LEADSAFE LAW: EXTRA LOCAL PROTECTIONS

In addition to Ohio's statewide protections, Toledo renters have additional retaliation protections under Toledo Municipal Code § 1760 — the City's LeadSafe Ordinance.

If you report any of the following to your landlord or to the City of Toledo, Toledo's LeadSafe law provides protections against retaliation:

- Your landlord's failure to obtain a required Lead-Safe Certificate;
- Suspected lead-based paint hazards in your home; or
- Any other issues suggesting your landlord is not complying with the LeadSafe Ordinance or the City's Building or Housing Code.

Under Toledo's LeadSafe law, prohibited retaliatory actions include any action that materially alters the terms of your tenancy — such as an unsupported rent increase or a refusal to renew your lease. Additionally, a landlord cannot try to evict you simply to avoid complying with Toledo's LeadSafe requirements.

¹ See Ohio Revised Code § 5321.02

WHAT CAN YOU DO IF YOUR LANDLORD RETALIATES?

If your landlord retaliates against you, Ohio law gives you the following options:

- **Use retaliation as a defense in eviction court.** If your landlord tries to evict you, you can raise retaliation as a legal defense. This means you tell the court that the eviction is being brought in response to your protected activity rather than for a legitimate reason.
- **Sue your landlord for damages.** You may be able to file a civil lawsuit against your landlord and recover money damages, as well as reasonable attorney's fees.
- **Terminate your lease.** In some circumstances, retaliation may give you the right to end your lease early.

Important: The Burden of Proving Retaliation is on You

To successfully use retaliation as a defense or to bring a claim, you will need to show the court evidence that your landlord's action was retaliatory. This is why documenting your complaints and communications with your landlord is so important.

HOW TO DOCUMENT RETALIATION

Good documentation is your strongest tool. Here are practical ways to gather and preserve evidence:

Keep all communications in writing

- Text or email your landlord when reporting problems or requesting repairs — avoid phone calls alone, since those leave no record.
- If you do speak with your landlord by phone or in person, follow up immediately with a text or email summarizing what was said (EX: "As I mentioned this morning, the heating system is broken...").
- Save all texts, emails, and voicemails from your landlord. Screenshot them and back them up somewhere safe, such as your email or a cloud storage account.

Document the timing

- Note the exact date you made a complaint or request. Courts pay close attention to timing — a rent increase or eviction notice that arrives shortly after a complaint is strong circumstantial evidence of retaliation.
- Keep copies of any rent increase notices, lease non-renewal letters, or eviction notices, along with the date you received them.

Report complaints through official channels

- When reporting violations to the City of Toledo or another government agency, request written confirmation that the complaint was received. This creates an official record.
- Keep copies of any inspection reports, city notices, or agency correspondence related to your complaint.

Gather witness information

- If neighbors, friends, or family members witnessed relevant events — such as your complaint, a confrontation with the landlord, or conditions at the property — write down their names and contact information.
- Neighbors or other tenants who share similar experiences with the same landlord can be especially helpful.

Take photographs and videos

- Photograph or video any conditions you've complained about, such as mold, water damage, broken heating, or peeling paint. Date-stamp your photos if possible.
- If you receive a written notice (rent increase, lease termination), photograph it immediately before taking any other action.

Keep a written log

- Maintain a simple journal or log of events — what happened, when, and who was involved. Even brief notes written at the time of the event can be valuable evidence later.

Think you're being retaliated against?

Contact The Fair Housing Center for a free legal consultation to discuss your options and your rights.

You have rights. Don't be afraid to use them.