Welcome Back Students!

New Semester, New Year, New Apartment?

The new semester can be filled with excitement and activity. New classes. Familiar friends. Football games. New apartments? In the excitement of starting a new year have you fully considered your rental situation? Sure you got an apartment in the building you wanted. Maybe you got a balcony this time. But your rental housing is more than a location within walking distance of campus and a balcony overlooking Beaver Avenue. Take your monthly rental payment and multiply it by the length of your lease and it adds up to a pretty significant dollar amount in addition to the application fees and security deposit you put down just to get the place. Many will sell your textbooks back to try and recoup some money when a class ends, but how many of you will be able to get the maximum amount of your security deposit back when your lease ends? For those of you who prepare now, your chances of recouping your security deposit increase.

Under Pennsylvania law a landlord is permitted to charge up to the equivalent amount of two month’s rent as a security deposit during the first year of a lease term. Many landlords will require the equivalent of one month’s rent for a security deposit. From this deposit, the landlord is permitted to make some deductions at the end of a lease for damages beyond “reasonable wear and tear,” unpaid rent, or unpaid utilities. While it is relatively easy to determine whether a tenant has paid rent in full or paid utilities, assessing damages is not so easy sometimes. If it was broken or marked when you moved in but you did not tell your landlord about it and it is broken or marked when you move out, it will be assessed as damage against your security deposit.

The time to start thinking about getting your security deposit back is the day you sign your lease and make that first payment. Here are some tips and suggestions on what you can do now to ensure you get the most of your deposit back when your lease ends:

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**What is Student Legal Services?**

The Office of Student Legal Services provides legal advice, counsel, representation, and referral services to University Park students. The basic services of the office are free; though students are assessed standard fees for filing court documents or other, personal legal expenses. The office provides students with programs about legal issues and online resources with information about legal rights and obligations. The office advises students about a range of legal concerns including landlord-tenant disputes, consumer problems, return of deposits, alcohol offenses, traffic violations, unemployment claims, small claims actions, name changes, collections, contract actions, and claims actions, name changes, collections, contract actions, and power of attorney. The office also assists students with lease analysis, sublease drafting, eviction defense, resolving bad checks, driver’s license suspension, insurance claims, and property damage. Students will generally not be represented at legal proceedings which take place outside of the Centre County region. The office also does not provide legal representation to students in conflict with the University or involving another student. Students must visit the website [studentaffairs.psu.edu/legalservices](studentaffairs.psu.edu/legalservices) to fill out an Intake Form to request services.

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**Complete the Move-In Inspection Sheet** – Most landlords will provide you a move-in inspection sheet when you pick up your keys. This is your chance to scrutinize the rental property for damages when you move in. Go through each room and be meticulous in your inspection. Mold in the bathroom? Write it down! Marks on the carpet? Write it down! Counter tops stained? Write it down! Nothing can be considered too small or menial to note because if it’s not noted on the inspection sheet when you move in, you could be charged for it when you move out. Have all your roommates review it, sign it, and keep a copy for yourself! If your landlord does not have a form, make one of your own. A piece of notebook paper is fine. And remember to return it to the landlord in the time period requested.

**Take Pictures, Take Pictures, Take Pictures** – With digital cameras and SIM cards there is no reason not to take dozens of pictures. A rule of thumb is if you are writing it on the inspection sheet, there should be a photograph to accompany it. You should take additional pictures and hang on to them with your copy of the move-in inspection sheet.

**Follow-up on Maintenance Issues** – Sometimes there are serious maintenance issues that should be addressed immediately such as non-functioning window locks, water leaks, or broken appliances but with the large amount of people moving into new apartments at the same time, maintenance requests can fall through the cracks. If you request maintenance as part of your move-in inspection, make sure you follow up with the landlord in a week or so after moving in to find out when the requested maintenance will be performed.

**If necessary, contact the professionals** – Did you know there are minimum standards landlords must meet in order to rent a property? You as a tenant have the right to such things as functional plumbing, working lights, working heat, and working locks. These standards are found in the property maintenance codes maintained by the Centre Region Council of Government. If you believe your rental is in violation of the property maintenance codes, it should be reported to local officials so the property can be inspected and maintenance performed if necessary.

**Be a good tenant** – While you as a tenant have the right to a habitable place to live, your landlord also has rights. Be a responsible tenant. Follow the rules and regulations in your lease. Report maintenance issues as soon as they become apparent. Pay your rent on time. Be courteous to your neighbors. This is your community too.
Some things everyone knows are illegal, such as stealing or killing. However, some laws can be violated unintentionally, because these laws are local and specific to the local government. Pennsylvania is made up of several different counties, each of these counties has the authority to pass local ordinances that can cause an unsuspecting individual to be in violation, cited, and fined. Because these codes are less known than state laws it is important to be aware of your local laws to prevent legal issues from arising. If you live outside of the State College Borough, be sure to check your local laws. Ferguson Township codes can be found at www.twp.ferguson.pa.us and Patton Township codes at www.twp.patton.pa.us; any additional boroughs please feel free to contact us at Student Legal Services. These are some local laws specific to State College Borough that you should be aware of:

**Leash Laws**

Generally, if you own a dog you are aware that it should be on a leash. What dog owners may not know, is that here in state college leashes cannot exceed 6 feet in length and penalty can be $50. Failure to pay in 7 days, can escalate the cost to a maximum of $600. Dog owners should also be aware that only three parks in the county are designated “permitted” parks for dogs.

**Designated Dog Parks**

The three parks where leashed dogs are permitted include Lederer Park, Thompson Woods Nature Preserve, and Walnut Springs Park.

**Public Urination Ordinance**

The temptation is understandable, especially when the dance isn’t working anymore, but making the mad dash to the nearest fast food restaurant can save you serious cash and embarrassment. Urinating in public is strictly prohibited. This summary offense carries the hefty fine of $300-$600 and the chance of an alternative disposition is slim to none. Likewise, this offense can also be combined with trespass and other criminal offenses related to the conduct making that quick relief very troublesome and expensive.

**Bicycle Registration**

Registering your bike is not only a Penn State requirement, but a Borough code. Registration is free. However, failure to comply can lead to a $10 fine and/or possible impounding of the bicycle.

**Bicycle Operation**

Bicycles are not permitted on the sidewalks downtown. Outside of downtown, bicycles are permitted on sidewalks, unless there is a useable designated bicycle lane provided. Remember bicycles must obey the traffic rules of the road applicable to all vehicles.

**Bicycle Parking**

Finding parking in State College is difficult whether you’re riding your bike or driving a car. If possible, always try to find designated bicycle parking. However, bicycles may be parked on any public sidewalk, except not attached to parking meters or in a manner that would create a safety hazard to pedestrians or traffic. Under no circumstances can a bike be chained or secured to ANY official sign of the Borough, including trees.

**Noise Control Ordinance**

The number one reason why cops are drawn to college parties is the noise. The penalty alone is a maximum fine of $600. The rule of thumb is between the hours of 9:00pm and 7:00am; any noise that can be heard from fifty feet away will constitute a violation. However, keep in mind that with or without a neighbor’s complaint police are justified to investigate if the noise appears to be a disturbance to the neighborhood.
Checklist for the perfect tailgate:

- Ladder ball
- Delicious food
- Water and soda for those under 21
- Optional alcoholic beverages only for those tailgaters that are over 21
- Penn State gear
- The criminal justice pamphlet

You almost certainly don’t think about the law when you are planning your perfect tailgate … but we are here to tell you that you should. Even if you aren’t thinking about the law, the multitude of law enforcement personnel (many of them in plain clothes so they look just like you!) will be thinking of little else.

First up: Your booze. It’s all fun and games until someone breaks out the Vladimir or Natty Light. Then your first dilemma - do you partake or not? If you are under 21, the answer is NO! And that answer doesn’t change if the vodka is poured into a red cup and mixed with soda and then handed to you – nice try, but it’s still alcohol in there. If you are caught consuming alcohol and you are under the age of 21, there is a maximum fine of $300 and a 90 day driver's license suspension for a first offense. It only gets worse from there, with a second offense costing you $500 in fines and a one year driver's license suspension.

“But…I was just holding the drink for my friend.” – While you should be given some minor accolades for helping your friend by being an interesting cup holder, you will still get in EXACTLY the same trouble for holding alcohol as you would for consuming it if you are under 21. (And for transporting alcohol for that matter). So, bottom line here, if you are under 21 years of age and tailgating, stick to non-alcoholic drinks.

Second: For all you tailgaters who have achieved the age of 21, congratulations, time has continued to work in the manner it should. You can now drink whatever you want, whenever you want, right? Not quite. It is a crime to be in “public manifestly under the influence of alcohol…to the degree that you are a danger to yourself or others or property, or annoy persons in your vicinity.” Also, once the game starts you are not allowed to consume any alcoholic beverages inside or outside of the stadium. That means, even if you aren’t watching the game from inside Beaver Stadium, from kickoff to the final seconds of the game you'll have to enjoy it all in teetotaler style if you are on Penn State property.

Third: The dreaded port-a-potties. Yes, they smell, and I wouldn’t examine the floor too closely if I were you. But they just might save you some money and a citation for “Disorderly Conduct – Creates a hazardous/physically offensive condition.” Did you catch that? The citation says hazardous and physically offensive. Go ahead and imagine the conversation with your parents …or a prospective employer. And in addition to the beautifully worded citation, you’ll also face a fine, which will cost you a maximum of $300.

So when you are tailgating remember these tips so that you can stay Penn State Proud AND Penn State Responsible!