

Montgomery County Municipal Court

Rent Escrow Information

IF YOUR LANDLORD FAILS TO FULFILL THE OBLIGATIONS SET FORTH IN O.R.C. 5321.04 THE FOLLOWING ARE REMEDIES OF THE TENANT AS SET FORTH IN 5321.07

1. The tenant **MUST** be current in rent payments and not a party in a pending eviction.
2. The tenant must give the landlord written notice describing the problem and informing the landlord that rent will be deposited with the Court if they fail to fix the problem within a reasonable amount of time, usually thirty days, considering the severity of the condition. This notice is delivered to the person or place where rent is normally paid.
3. If a landlord receives the notice and fails to remedy the condition within a reasonable amount of time considering the severity of the condition and the time necessary to remedy it, or within thirty days, whichever is sooner, then all rent that is due may be deposited with the Clerk of Court within the jurisdiction of the tenant's address by doing the following:
 - (a) Complete and file the Application by Tenant to Deposit Rent with the Clerk.
 - (b) Attach a copy of the notice delivered to the landlord and method of service.
 - (c) Deposit all rent that is due and continue to make all rent payments on time and in full with the Clerk of Court until satisfaction of the provisions of O.R.C. 5321.09 or until Order of this Court.*
4. The Court will notify the landlord of the filing and set the case for a hearing.

*There is no filing fee however, per O.R.C. 5321.08, 1% of the deposited rent shall be kept as court costs.

**MONTGOMERY COUNTY MUNICIPAL COURT
CIVIL DIVISION
APPLICATION BY TENANT TO DEPOSIT RENT IN ESCROW**

TO THE CLERK OF COURTS

Tenant:

CASE NO:

Landlord:

In accordance with Section 5321.07, Para. (1) of the Ohio Revised Code, I hereby make application to deposit all rent that is due and hereafter becomes due the landlord, with the Clerk of the Montgomery County Municipal Court.

Tenant

INFORMATION IN SUPPORT OF APPLICATION

The undersigned says the following facts are true to the best of their knowledge. Notice was given in writing to the landlord as prescribed in Section 5321.07, para. (A) with a copy of the notice attached hereto.

Service was made on the landlord as follows: _____

That payment of my rent due under the rental agreement is current and that my rent is due on _____ in the amount of \$_____.

Is it stated in your rental agreement, or did the landlord supply you with a notice in writing that the landlord is a party to rental agreements that cover three or fewer dwelling units?

Circle One: YES or NO

APPLICANT STATES UNDER THE PENALTIES OF PERJURY AND FALSIFICATION THAT THE ABOVE INFORMATION AND APPLICATION HAS BEEN READ AND IS BELIEVED TO BE TRUE.

Applicant Signature

NOTICE TO LANDLORD OR AGENT

Sec. 5321.08 R.C.

Please be advised that the above applicant has deposited a rental payment with the Montgomery County Municipal Court Clerk's Office pursuant to O.R.C. 5321.07. The deposit has been placed in the Escrow Rental Account and may be released to you upon your application and satisfaction of the provisions of O.R.C. 5321.09.

Date: _____

Montgomery County Clerk of Courts

Deputy Clerk