

What Legal Options Do You Have When There's a Blackout During Winter?

by Isaac Benmergui, Esq on February 27, 2014

I figured it was prudent to address this issue given the “snow-pocalypse” we’ve all been getting in the Midwest, which naturally we here in Florida haven’t seen that one bit. Go figure. But for those shivering in the cold in their homes with the heat off and no way to get it turned on to relieve the icicles of their stint inside your real estate, you might be asking the paralyzing



question – “what can I do legally about this?”

After all, it’s your home. It’s not your fault. You’re paying your mortgage or rent. You may even be current on your utility bills. Legally, do you have a way to gain some kind of compensation for the trouble of a home sitting in the snow with no electricity or gas? Very possibly, especially if you’re an actual tenant with a landlord.

You can report the “no heat” issue to local authorities, specifically if your landlord actually refuses to fix it or maybe takes too long to fix it. There are even some Chicago municipal codes out there between September 15 and June 1, mandating that the temperature in a home has to sit at the very least 68 degrees between the times of 8:30am and 10:30pm and 66 degrees for all other times in the day and night. New York City has similar mandates for landlords, so do your research. If the landlord still isn’t doing anything about the heat, you might even be entitled to withholding rent or terminating a lease. You may need to take your landlord to court, though.

Sadly, though, I know that from a blackout standpoint effecting an entire community, there’s not much you can do with regard to a landlord. Just in case, though, this is an issue with a specific line *within* your general property line and not a problem with the actual *power line* out in the street, you have a way to go about it. That makes all the difference. Stay warm, friends.

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