

# Mississippi

## Landlord Guide to Healthy and Safe Housing

Prepared for the Mississippi State Department of Health



Green & Healthy Homes Initiative®

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## Guide Overview

Residential property owners, managers, and maintenance providers play important roles in the preservation of affordable, safe and healthy housing in the state of Mississippi. Maintaining properties in a manner that minimizes risks to health and safety not only benefits occupants of rental housing, but also the property owner and greater community. Landlords who maintain quality housing units are more likely to experience reductions in tenant turnover, fewer evictions, and improved tenant satisfaction. Green & Healthy Homes Initiative (GHHI) and our partnering organizations created this resource guide to support landlords seeking information about housing health and safety, including:

- 1) Common Myths about Rental Housing in Mississippi
- 2) Standards for health and safety of existing housing units.
- 3) Guidance on common health hazards in housing and how they can be identified.
- 4) A checklist to support visual inspections of rental units.
- 5) Guidance for reviews of lease agreements to support resident health and safety.
- 6) Reference materials related to rental property regulations established through applicable local, state, and federal laws and programs.

GHHI, the Mississippi State Department of Health, and other organizations will regularly review and update this guide to ensure it remains useful to the public. Additional information shared throughout the document may help residents and property owners of Mississippi learn more about environmental health, regulations of rental units, and affordable housing programs.

## Contributors

Thank you to the organizations and individuals who contributed to the development of this guide.

**City of Jackson, Mississippi**

**Green & Healthy Homes Initiative**

**Jackson Housing Authority**

**Mississippi Center for Justice**

**Mississippi Communities United for Prosperity (MCUP)**

**Mississippi Department of Environmental Quality**

**Mississippi State Department of Health**


**One Voice Mississippi**

**People's Advocacy Institute**

**U.S. Department of Housing and Urban Development**


## Support Resources for Renters

### Emergency Shelters & Transitional Housing


Central Mississippi Continuum of Care		
	<b>CONTACT NUMBER</b> (601) 969-1895	<a href="#"><u>WEBSITE</u></a>

Mississippi Balance of State Continuum of Care		
	<b>CONTACT NUMBER</b> (601) 960-0557	<a href="#"><u>WEBSITE</u></a>

### Housing Counseling


HUD Approved Housing Counseling Agencies		
	<b>CONTACT NUMBER</b> (800) 569-4287	<a href="#"><u>WEBSITE</u></a>

### Legal Services

Mississippi Center for Justice		
	<b>CONTACT NUMBER</b> (877) 352-2269	<a href="#"><u>WEBSITE</u></a>

Mississippi Legal Services		
 <b>MSLegalServices.org</b>	<b>CONTACT NUMBER</b> (800) 498-1804	<a href="#"><u>WEBSITE</u></a>

### Social Service Referrals

United Way of the Capital Area Mississippi 211 Helpline		
 United Way of the Capital Area, Inc.	<b>CONTACT NUMBER</b> 211	<a href="#"><u>WEBSITE</u></a>

## Utility Assistance

Find contact information for local human resource agencies or utility-based assistance:

Mississippi Public Service Commission		
	<b>CONTACT NUMBER</b> (601) 961-5434	<a href="#">WEBSITE</a>

## Digital Resources

To access updates and additional resources related to this guide, visit [www.leadfreems.org](http://www.leadfreems.org)

### Quick Links to Additional Resources on Key Topics of the Guide

[Green & Healthy Homes Initiative](#)

[Lead Free Mississippi](#)

[Mississippi State University Extension Service](#)

[Mississippi Department of Environmental Quality](#)

[Mississippi State Department of Health](#)

[Mississippi Home Corporation](#)

[Mississippi Legal Services](#)

[Mississippi Center for Justice](#)




[U.S. Department of Housing and Urban Development](#)



[Environmental Protection Agency](#)

[International Code Council](#)

[Change Lab Solutions](#)

# 10 Common Myths About Rental Housing in Mississippi

	<p><b>MYTH: The landlord is responsible for all maintenance of a rental property.</b></p> <p><b>THE FACTS</b></p> <p>Leases or verbal agreements between renters and landlords should clarify roles and responsibilities about regular upkeep and how to notify landlords about repair needs. Under the Mississippi Residential Landlord Tenant Act, a landlord shall comply with the requirements of applicable building and housing codes materially affecting health and safety; and maintain the dwelling unit, its plumbing, heating and/or cooling system, in substantially the same condition as at the inception of the lease, reasonable wear and tear excluded, unless the dwelling unit, its plumbing, heating and/or cooling system is damaged or impaired as a result of the deliberate or negligent actions of the tenant. MS Code Ann 89-8-23.</p> <p><b>However</b>, the landlord and tenant may agree in writing (which can be through the lease) that the tenant performs some or all of the landlord’s duties, but only if it is entered into in good faith.</p>
	<p><b>MYTH: If a landlord does not respond to a repair request from the tenant, they should withhold rent until the repair is made.</b></p> <p><b>THE FACTS</b></p> <p>The Mississippi Residential Landlord Tenant Act <b>DOES NOT</b> state that a tenant can withhold rent until a repair is made. However, the Act, under Miss Code Ann 89-8-15, provides that a tenant can repair and deduct the cost of the repair under certain conditions. In order to deduct the cost of a repair from the rent, a tenant must first provide the landlord written notice of the defect and allow the landlord thirty days in which to make the repair.</p> <p>If the landlord does not make the repair within thirty days, the tenant may repair the defect. A tenant who makes such a repair is entitled to reimbursement of the cost of the repair within forty-five days of submitting to the landlord receipts showing the cost of the repair. <b>Alternatively</b>, if the landlord does not reimburse the tenant for the repair, the amount of the repair may be deducted from future rent. <b>But there are a few conditions:</b></p> <ul style="list-style-type: none"><li>• The expenses incurred <b>cannot exceed</b> the amount of one month’s rent.</li><li>• The tenant can only claim such a reimbursement once every six months.</li><li>• The tenant must be current in rental payments.</li><li>• The amount claimed by the tenant must not exceed the usual and customary charge for the type of repair.</li><li>• The tenant must not have created the defect. <a href="#">Learn More</a></li></ul>
	<p><b>MYTH: If the landlord does not respond to a repair request the tenant should make the repair themselves and automatically deduct the costs from a rent payment.</b></p> <p><b>THE FACTS</b></p>

	<p>The tenant can make the repair themselves and deduct the cost of the repair <b>ONLY IF</b> they follow the steps and conditions from Miss Code Ann 89-8-15 to repair and deduct. (see Myth #2 above). <a href="#">Learn More</a></p>
	<p><b>MYTH: Renters do not need a written lease agreement with landlords.</b></p> <p style="text-align: center;"><b>THE FACTS</b></p> <p>Although there can be a verbal agreement between a renter and a landlord, it is strongly encouraged that a written lease should be in place that sets out the responsibilities of the renter and landlord, the address of the rented property, the landlord's name and address, the amount of rent, the amount and nature of any deposits, rent payment dates and monthly due dates, which party is responsible for paying which utility, whether the landlord or tenant will be responsible for property maintenance, and the length/term of the lease.</p>
	<p><b>MYTH: Everything in a lease agreement is legally binding.</b></p> <p style="text-align: center;"><b>THE FACTS</b></p> <p>Leases are legally binding. However, if statements in a lease violate other laws or regulations, such as the Fair Housing Act. Some examples of illegal clauses include:</p> <ul style="list-style-type: none"> <li>• Waiving tenants' rights to a livable, safe, and sanitary apartment.</li> <li>• Making a landlord exempt from liability for injuries or damage caused by their negligence.</li> <li>• Waiving rights to a jury trial in any lawsuit concerning property damage or personal injury.</li> </ul>
	<p><b>MYTH: A landlord can evict a tenant for any reason.</b></p> <p style="text-align: center;"><b>THE FACTS</b></p> <p>According to the Mississippi Residential Landlord Tenant Act, a landlord may commence proceedings to evict a tenant for the following reasons:</p> <ul style="list-style-type: none"> <li>• If the tenant does not pay rent on the day it is due.</li> <li>• If the tenant does not comply with the rental agreement.</li> <li>• If the tenant damages the property.</li> <li>• If the term of the lease ends and the tenant does not leave.</li> <li>• If there is no lease in place and the required 30-day notice is given.</li> </ul> <p style="text-align: center;"><a href="#">Learn More</a></p>
	<p><b>MYTH: Landlords can refuse to rent or charge higher rent fees to families with children.</b></p> <p style="text-align: center;"><b>THE FACTS</b></p> <p>These actions are considered housing discrimination under the <a href="#">Federal Fair Housing Act</a> and property owners or managers engaged in these practices can be <a href="#">reported to HUD</a>. Be sure to <a href="#">review lease agreements</a> carefully to ensure they have the required information about Equal Housing Opportunity.</p>
	<p><b>MYTH: Landlords can refuse to rent or charge higher rent fees to people with disabilities.</b></p>

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### THE FACTS

These actions are considered housing discrimination under the [Federal Fair Housing Act](#) and property owners or managers engaged in these practices can be [reported to HUD](#). Be sure to review lease agreements carefully to ensure they have the required information about [Equal Housing Opportunity](#), and learn more about requirements for Reasonable Accommodations protected by [the Federal Fair Housing Act and Americans with Disabilities Act](#).

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**MYTH: There is a legal standard for toxic mold in housing.**

### THE FACTS

Standards or Threshold Limit Value (TLVs) for airborne concentrations of mold or mold spores have not been set, therefore there are no regulations or standards for airborne mold contaminants set by the [Environmental Protection Agency \(EPA\)](#). However, excess mold growth in housing (more than 10 square feet of a surface) is commonly considered a health hazard, and the [Mississippi Residential Landlord Tenant Act](#) requires landlords to address conditions in rental units that materially affect health and safety. Learn more about mold control and indoor air quality [here](#).

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**MYTH: The landlord is responsible for any damage to a renters' property caused by pests or rodents.**

### THE FACTS

According to the Mississippi Residential Landlord Tenant Act, a landlord is required to comply with the requirements of applicable building and housing codes that affect health and safety; and maintain a dwelling unit in the same condition as when the lease is signed. While state regulations do not specify that landlords are required to provide pest control services, pest control is considered by most local codes to be material to health and safety.

Renters should check for any signs of pests (pest droppings or frass, or small holes in walls or flooring) before signing lease agreements and ask landlords to specify in lease agreements what types of seasonal pest control services they provide for a property.

Renters also need to clean, dispose of food waste, and take out trash regularly, and avoid building up excess clutter. Plumbing leaks, especially under kitchen sinks, can attract pests and should be reported and repaired as soon as possible. Renters are also responsible for making sure any pets are pest free. These maintenance practices reduce the likelihood that a pest issue could be related to a renter's living conditions or behaviors.

If a renter identified and reported a pest issue the landlord would be required to respond under the Mississippi Residential Landlord Tenant Act. If a landlord failed to respond to notification of pest infestations with pest control or management services, the tenant could seek legal action.



## 8 Elements of Green & Healthy Homes



Dry

- Housing exterior is in good condition and no stormwater is entering the home from the roof, ceiling, gutters, windows, siding, or foundation
- No damage (mold, moisture, or related) on ceilings, walls, or floors from water leaks
- Plumbing is not leaking, all cabinets and surfaces around plumbing are also dry and free of damage
- Condensation around heating and cooling units and doors and windows is minimal and easy to clean up
- Stormwater does not pool in the yard, crawlspace, or outdoor areas nearby



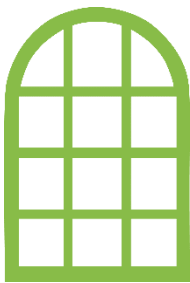
Clean

- No excess clutter in any rooms or outside areas
- Surfaces are cleaned regularly with safe cleaning products (no harsh chemicals or fumes)
- Food is safely stored: pantry items in air-tight containers, raw foods separate from ready-to-eat foods in refrigerator
- Dishes are cleaned after use
- Trash inside and outside is covered and picked up regularly







Safe

- Smoke and carbon monoxide detectors are installed and have working batteries, working fire extinguishers are in the kitchen
- Rugs and flooring are in good condition and do not create potential tripping hazards
- Locks on doors and windows are in good working condition
- Lighting of indoor and outdoor areas in good working condition
- Homes with young children are free from hard or sharp surfaces, furniture is anchored, and large appliances and televisions are secure
- Household items that could cause injury, accidents, or poisoning (household cleaners, medicines, firearms) are safely stored



Well Ventilated

- Ventilation in kitchen, bathrooms, and laundry areas in good working condition and venting to the outside of the home
- Windows can be opened and closed easily
- House is properly sealed and insulated
- Chemicals in garage or outside storage spaces are stored away from house doors and windows

 <p>Pest Free</p>	<ul style="list-style-type: none"> <li>• Foundation, housing exterior, and entryways are free of cracks and openings for pests and rodents</li> <li>• Food is stored in airtight containers and water leaks are repaired</li> <li>• Rodent droppings and frass are immediately cleaned</li> <li>• Uneaten pet food is picked up</li> <li>• If pest treatments are needed use sticky traps, bait stations, gel baits, and boric acid rather than harsh chemicals</li> </ul>
 <p>Contaminant Free</p>	<ul style="list-style-type: none"> <li>• Homes built before 1978 are inspected for lead-based paint hazards and sources of exposure are remediated, floors and windows are cleaned with wet cloths and mops</li> <li>• Building materials with asbestos are not being disturbed and have no visible damage or deterioration</li> <li>• Home is tested for radon, a gas that can enter homes through foundation cracks and crawl spaces</li> <li>• High touch surfaces (doorknobs, light switches, plumbing fixtures) are sanitized regularly</li> <li>• Water quality is checked, fixtures are free of lead and other hazards, and filters are in good working condition if being used</li> </ul>
 <p>Well Maintained</p>	<ul style="list-style-type: none"> <li>• Home is regularly cleaned, inspected and repaired</li> <li>• Minor repairs are addressed quickly to avoid major damage</li> <li>• Roof is in good condition and clear of debris, gutters are cleaned out at least twice a year</li> <li>• Heating and cooling systems are inspected and cleaned yearly</li> <li>• Plumbing regularly checked for leaks and drips</li> <li>• Batteries for smoke alarms and carbon monoxide detectors are checked twice a year</li> <li>• Dryer vent is inspected and cleaned yearly</li> </ul>
 <p>Energy Efficient</p>	<ul style="list-style-type: none"> <li>• Internal temperature is easy to control, programmable thermostat installed</li> <li>• HVAC system is clean, tuned, and filter is regularly replaced, ducts are sealed</li> <li>• Windows and door frames are airtight (weatherstripping and caulking used as needed)</li> <li>• LED lightbulbs used</li> <li>• Efficient appliances installed and water lines are insulated</li> </ul>

## Common Health Hazards in Homes

### Fuel Combustion Products



**The Issue:** Fuel burning appliances and heating features, such as gas furnaces, fireplaces, gas stoves, and gas space heaters, can release unsafe air pollutants including carbon monoxide, nitrogen dioxide, and particulate matter.

[Learn More](#)

**Health Effects:** Exposure to these chemicals can cause a range of symptoms including eye, nose, and throat irritation, nausea, fatigue, and chest pains. Exposure can also cause poisoning and chronic conditions including heart and lung disease.

**People Most Vulnerable:** Children and people with a history of heart and respiratory conditions.

### Causes of Injury, Accidents, and Poisonings



**The Issue:** Home-related injuries, accidents, and poisonings can be caused by unsafe structural conditions, lack of safety and security devices, and exposure to household materials that are harmful.

- Common causes of trip and fall injuries for older adults include uneven or damaged flooring and stairs, and slips and falls in bathrooms.
- Common causes of injury for young children include collisions with sharp edges, burns from stovetops, and injuries from falling items (dressers, televisions, etc.).
- Unsafe storage of household cleaners and medicines can be sources of poisonings, and improperly stored firearms can also lead to injury or death.
- Safety features of homes that need regular inspection and maintenance include carbon monoxide and smoke alarms, fire extinguishers, child safety devices, door and window locks, and lighting.

[Learn More](#)

**Health Effects:** Health effects range from minor injuries to severe health emergencies that require emergency health services, hospitalizations, or can cause death.

**People Most Vulnerable:** While all individuals are vulnerable to unsafe housing conditions, people ages 5 and younger and 60 and older have higher rates of injury, accidents, and poisonings related to home environments.

### Excess Heat and Cold



**The Issue:** Excess heat and cold are defined as excessively high or low indoor air temperatures depending on the season. The inability of residents of a home to comfortably regulate indoor temperatures is often a result of malfunctioning heating and cooling systems, lack of adequate insulation, and inefficient conditions (poor air sealing). Excess heat and cold are related to multiple poor health conditions.

[Learn More About Excess Heat](#)

[Learn More About Excess Cold](#)

**Health Effects:** Excessive heat can cause heat stroke and exhaustion, sleep disorders, high blood pressure, and respiratory and cardiovascular disease. Excessive cold can cause hypothermia and contribute to cardiovascular disease, and can exacerbate asthma and COPD.

**People Most Vulnerable:** Infants and adults ages 65 and older.

## Electrical, Fire, and Burn Hazards



**The Issue:** Electrical hazards are threats of exposure to electricity that can cause shocks and burns; common causes are exposure to damaged wiring, outlets, power cords, and appliances. Fire hazards are threats of exposure to uncontrolled fire and smoke; common causes are cooking accidents, accumulation or improper storage of combustible materials, open flames, and improper use or malfunctioning of home heating devices.

[Learn More](#)

**Health Effects:** Exposure to electricity can cause pain, numbness, weakness, and nervous system damage. Fires and exposure to hot surfaces can cause burns, smoke inhalation and lung damage, and death.

**People Most Vulnerable:** No specific group.

## Lead



**The Issue:** Lead is a heavy metal that can be found in many homes, primary sources of exposure include lead based paint and the paint chips and dust from its deterioration, lead service lines and plumbing fixtures, lead well pumps, lead in soil, lead dust from occupational exposure, and certain consumer products (old glazed pottery, antique toys, lead fishing lures, cosmetics, and some imported spices and household items).

[Learn More](#)

**Health Effects:** Lead is a neurotoxin and even low levels of exposure can cause brain and nervous system damage, leading to lower IQ and academic achievement, behavioral problems, and slowed growth and development of children. These effects can be permanent.

**People Most Vulnerable:** Children under age 6 and pregnant women.

## Mold and Moisture



**The Issue:** Molds are fungi that can be found indoors and outdoors. Molds grow the most in warm, damp, and humid conditions. While minor indoor mold growth and dampness can be controlled by residents, significant mold growth (greater than 10 square feet of a surface) or mold growth related to a leak or flooding may require structural repairs and remediation for control.

[Learn More](#)

**Health Effects:** Excessive exposure to mold and moisture can cause respiratory illness and infection and exacerbate chronic respiratory conditions including asthma and COPD.

**People Most Vulnerable:** People ages 14 or younger, people with related allergies, and people with chronic respiratory illness

## Asbestos



**The Issue:** Asbestos is a fibrous mineral that was used in many home building materials from the 1940s to 1980s (including insulation, roofing, siding, floor tiles, and plaster). If damaged or disturbed asbestos containing materials can release fibers that can damage lungs. There is no visual inspection standard for asbestos, so residents may be unaware of the presence of asbestos in homes.

[Learn More](#)

**Health Effects:** Mesothelioma and lung cancer.

**People Most Vulnerable:** No particular group.

## Other Indoor Air Pollutants

**The Issue:** In addition to fuel combustion products and radon, common indoor air pollutants include Volatile Organic Compounds (gases emitted from certain solids and liquids including adhesives, cleaning solutions, and paints) and Environmental Tobacco Smoke. VOCs are in a wide variety of many common household products; without proper storage and ventilation they can become



concentrated and affect health. Sources of tobacco smoke exposure can be first hand (directly smoking), second hand (being in the same space as someone smoking), and third hand (residual exposure through clothes, linens, furniture, and similar items).

[Learn More](#)

**Health Effects:** Short term VOC exposure can cause eye, nose and throat irritation. They can also severely exacerbate asthma and COPD. Long term exposure can cause liver and kidney disease and nervous system damage. Environmental Tobacco Smoke exposure trigger asthma episodes and increase severity of attacks. It is also linked to COPD, lung cancer, ear infections and other chronic respiratory illnesses, such as bronchitis and pneumonia.

**People Most Vulnerable:** People with chronic respiratory illness.

## Pests and Rodents



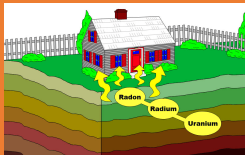
**The Issue:** Common household pests include dust mites, cockroaches, mice and rats. Pests and rodents can enter homes through small cracks and crevices in the home exterior and can live on small amounts of food and water they find. In addition to health impacts, pest and rodent infestations are a concern because they can lead to significant property damage.

[Learn More](#)

**Health Effects:** Dust mites are harmless to many people but those who are allergic to dust mites can experience wheezing, difficulty breathing, and asthma attacks if exposed. Cockroaches and cockroach frass can cause similar allergic reactions. Rodents can sometimes transfer diseases to humans through vectors (ticks, mites, or fleas) and direct exposure to them or their droppings can also exacerbate allergies and asthma.

**People Most Vulnerable:** People with chronic respiratory conditions.

## Radon



**The Issue:** Radon is a radioactive gas that is found in soil and rock in all parts of the United States. Radon gas is invisible and has no odor or taste that can move up from the ground and into homes through drains, cracks, or holes in the foundation. Mississippi has a low risk of radon exposure according to the EPA, but radon testing is still recommended for all living spaces below the third floor of a building.

[Learn More](#)






**Health Effects:** Inhaling indoor air containing radon over a period of many years can increase risk of developing lung cancer.

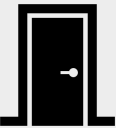

**People Most Vulnerable:** People 60 and older with long term exposure.



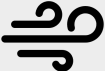



# Inspecting Rental Housing for Health and Safety



The checklist below will help landlords and property managers look at conditions of rental units to ensure they are likely to be a healthy and safe environment for living. Conducting regular inspections of units using the checklist for Visual Health and Safety Inspections is also recommended so tenants and property managers can identify any potential health and safety issues early so they can be addressed before becoming a hazardous or high-cost repair need.




## Checklist for Visual Health and Safety Inspections

Exterior Checklist		
<b>Walkways and Stairs</b> 	Walkways in common areas and in unit are even, free of obstacles, and well lit. Stairs are even in height and have anti-slip treading and railings are secure.	
<b>Lighting</b> 	Common spaces and areas outside of the building have working lighting so entryways are visible at night.	
<b>Yard and Landscaping</b> 	No visible signs that stormwater is pooling on the grounds or exterior water or sewer lines are leaking. Trash collection area is covered and without litter. Exterior of building does not have cracks or holes where rodents can enter.	
<b>Rooftop and Siding</b> 	Roof shingles are in good condition and cover the entire roof area and no signs of sagging or cracking. If gutters are installed they are connected securely to the building and clear of leaves or debris. Siding should also be in good condition and without holes or cracks, and painted surfaces show no signs of chipping, peeling or flaking.	
<b>Windows</b> 	Windows should have locks and screens and residents should be able to open and close windows easily. If needed windows should have weatherstripping to prevent air leakage. Window components do not have chipping, peeling, or flaking paint.	

Interior Checklist		
<b>Doors</b> 	Doors inside and outside close properly, including exterior door deadbolt lock and have weatherstripping to prevent air leakage. Door locks should be changed in between lessees and all keys provided to new renters when they sign new lease agreements. Doors and door frames do not have chipping, peeling, flaking or scraped paint.	
<b>Floors</b> 	Floors should be level and without signs of damage (holes, water spots, cracked tiles, etc.) and thresholds in between rooms should be sealed and flat enough to not create trip and fall hazards.	

<p><b>Ceilings and Walls</b></p> 	<p>Ceilings and walls are free of cracks, holes, signs of water damage including stains from leaks and mold, or damage and wear and tear from previous tenants. Painted surfaces do not have chipping, peeling, or flaking paint. Units built before 1978 should have lead-based paint risk assessments and remediation of hazards, if needed.</p>	
<p><b>Lighting and Electrical</b></p> 	<p>Light switches are working and easily operate light fixtures or electrical outlets. All light switches and electrical outlets have covers and have no exposed wiring. Renter or building manager (depending on building type) can access the fuse box/circuit breaker in cases of emergency for shutoffs.</p>	
<p><b>Ventilation</b></p> 	<p>In the kitchen, a vent should be installed above the cooktop that vents to the outside of the building and the resident should be able to use it during and after cooking. In the bathrooms, vents should also be installed that vent to the outside of the building that can be used during and after showers.</p>	
<p><b>Plumbing and Water</b></p> 	<p>Water pressure for sinks and showers is adequate and fixtures do not drip or leak. Water should be tested for lead if plumbing was installed before 1986, brass fixtures may also contain lead and should be checked. Faucet aerators are installed and clean. When toilets are flushed they drain and refill without leaking. The water heater is in good condition and not leaking, and temperature is set to under 120 degrees Fahrenheit.</p>	
<p><b>Attic and Crawl Spaces</b></p> 	<p>If a building has accessible attic space, the opening is sealed and the access ladder is in good condition. The attic space should have adequate air sealing and insulation, with no visible signs of pests or rodents. If a building has accessible crawl space, the opening is sealed and space under the building should have no signs of pests or rodents.</p>	
<p><b>Safety Devices</b></p> 	<p>Smoke alarms and carbon monoxide detectors are installed and have working batteries. Working fire extinguishers are placed under the kitchen sink. Fire Escape Plans are clearly visible in multifamily buildings. For units being occupied by older adults, bathrooms should have grab bars installed and accessible bathing and toilet fixtures.</p>	

<h3 style="text-align: center;">Appliances Checklist</h3>		
<p><b>Heating, Ventilation, Air Conditioning Systems (HVAC)</b></p> 	<p>Heating and cooling systems are working and renter is able to operate the thermostat for central system or wall unit controls and regularly change the air filter. Central or window cooling units should have condensation collection installed so they do not create excess mold or moisture inside.</p>	
<p><b>Washer &amp; Dryer</b></p> 	<p>Washing machines in units or common areas are free of leaks and in good working condition. Dryers are in good working condition and filters are collecting lint and debris. For maintenance, dryer vents are cleaned regularly to avoid hazardous buildup and users can clean out lint traps.</p>	

<p><b>Stove &amp; Oven</b></p> 	<p>All heating elements work and are clean (without buildup from food or spills). For households with residents who have asthma or other respiratory conditions, gas stoves and cooktops may be unsafe.</p>	
<p><b>Refrigeration</b></p> 	<p>Refrigerator and freezer are clean inside and out, including coils, and water and electrical connections are in good condition. The seal of the refrigerator and freezer should be intact and not allow air leaks. The user should be able to easily maintain a temperature that keeps food safe (below 40 degrees Fahrenheit).</p>	
<p><b>Other</b></p> 	<p>If additional appliances, such as dishwashers or garbage disposals, are installed, check to ensure they work and water or sewer connections are not leaking.</p>	

**Notes on Follow Up Inspection or Repair Needs**



# Healthy and Safe Residential Property Maintenance

Many property maintenance practices can support the health and safety of tenants, which helps support tenant satisfaction and reduces tenant turnover. These regular maintenance practices also support preservation of property values and can help owners and managers save money long-term for owners. A few examples of healthy property maintenance practices include:

**Safety Devices:** Fire and carbon monoxide safety devices are some of the most important and low-cost safety measures for any residential space. Make sure all rental units have working smoke alarms and carbon monoxide detectors installed in correct locations, as well as fire extinguishers. Occupants should receive notification of where these safety devices are located in the unit. By using long-life lithium batteries in alarms and detectors you can reduce misunderstanding about who is responsible for their upkeep.

## Integrated Pest Management (IPM)



IPM is an environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM prioritizes prevention of pests and rodents through elimination of points of entry into home environments, reduction of food and water sources, good cleaning and waste management practices, and using traps and bait stations to control for pests while reducing use of chemical treatments. [Learn more](#)

**Seasonal HVAC Tune-Ups:** Professional Heating Ventilation and Air Conditioning (HVAC) System tune-ups twice a year (one in spring and one in fall) will help extend the lifespan of heating and cooling systems and prevent potential system breakdowns that may be expensive to repair or replace. HVAC professionals, including those contracted through local utility service programs, can perform tune-ups that include inspections, cleaning, and minor services or repairs for system optimization and efficiency. Check with local energy service providers about their residential efficiency program services to find out if you qualify for a free or discounted tune-up.

**Energy Efficiency Measures:** Many energy efficiency measures in rental housing generate benefits for both occupants and property owners. They can reduce living and maintenance costs, improve tenant satisfaction, and even address some hazardous conditions and improve safety of electrical, ventilation, and heating and cooling systems ([Learn More](#)). Some common cost-effective energy efficiency measures in housing include:

- Installation or replacement of weatherstripping for doors and windows
- Installation of programmable thermostats
- Use of energy efficient lighting
- Installation of faucet aerators and efficient showerheads
- Installation and use of ceiling fans

Improvements with higher upfront costs but that typically have a good energy savings-to-cost benefit include:

- Installation of efficient appliances (HVAC systems, refrigerators, dishwashers, and washers and dryers)
- Installation or replacement of ceiling insulation

- Repair or replacement of duct work
- Repair or replacement of older or cracked windows
- Repairs or increased capacity of electrical systems and replacement of gas appliances with electric or renewable energy systems

**Go Smoke Free:** Prohibiting smoking in rental units has direct health benefits for the occupants of rental units and neighbors, especially in multifamily housing. Other benefits of smoke free housing for property maintenance include reduced risk of accidental fires and reduced maintenance costs, including the need to re-paint, replace flooring, or replace appliances. Prohibiting smoking in outdoor common areas can help reduce litter and improve property curb appeal. Additionally, many insurance agencies offer discounts for smoke-free housing policies.

**Regular Maintenance Planning:** Planning and completing property maintenance work on a regular basis will help landlords and property managers address minor repair needs before they become more costly emergency situations.

### Seasonal Maintenance Task List

Spring	Summer	Fall	Winter
<ul style="list-style-type: none"> <li>• Check gutters to ensure they are secure and clear of debris</li> <li>• Check the roof for any storm damage</li> <li>• Service the HVAC system</li> <li>• Inspect for any signs of pests or rodents</li> </ul>	<ul style="list-style-type: none"> <li>• Check and clean ventilation systems</li> <li>• Inspect plumbing for leaks or signs of wear</li> <li>• Ensure outdoor areas are well maintained</li> </ul>	<ul style="list-style-type: none"> <li>• Check gutters to ensure they are secure and clear of debris</li> <li>• Service the HVAC system</li> <li>• Seal any cracks or gaps around windows and doors</li> <li>• Check outdoor lighting to ensure parking areas and entryways have good visibility for safety</li> </ul>	<ul style="list-style-type: none"> <li>• Insulate pipes to prevent freezing</li> <li>• Cut back plants that are impacted by freezing conditions</li> <li>• Provide tenants with guidance on space heater safety and winter storm safety</li> </ul>

# Health, Safety and Related Regulations of Rental Housing

## Residential Lease Agreements

A lease agreement is a legal document signed by a property owner and renter that specifies the terms for what a property owner will provide in living places and services to a renter in exchange for regular payment. Leases also include rules that property owners require renters to follow to maintain health and safety of the property and comply with property management policies and local laws (such as noise ordinances). They also include information about what happens when the lease agreement is not kept, including fees for late rent payments, how the renter will be charged for property damage, or other results of lease violations.

Every residential lease agreement by law must include certain information about how the health and safety of the unit will be ensured at time of lease execution and maintained during the lease period. The primary basis for these requirements is the Mississippi Residential Landlord Tenant Act (2010), which regulates the rights, obligations, and remedies of rental agreements executed in the state. Residential lease agreements must also comply with other laws that regulate health and safety, including the Lead Based Paint Disclosure Act and the Fair Housing Act (see next section).

### [Access a Mississippi Residential Lease Template](#)

When preparing a residential lease agreement, make sure the document includes the following information related to health and safety:

<b>Key Elements of a Lease Agreement</b>	
<b>Term</b>	The lease should clearly state the amount of time for the agreement and what happens at the end of the term, including statements about when the tenant would have to vacate, anticipated rent increases if they stayed, or if agreements are valid after the first lease period but transfer to a month-to-month agreement. Knowing these policies can help renters avoid unexpected displacement or eviction or loss of security deposits.
<b>Rent</b>	The lease should also clearly state required payments of all upfront costs (such as application fees and security deposits), monthly charges for rent, late fees and when they will apply, and how and when to make those payments. This section should include directions for how the renter will be refunded the security deposit when they move out of the unit. Federal housing program guidance states that rent costs are affordable if they are 30 percent or less of monthly household income.
<b>Utility Services</b>	The property owner must specify which utility service accounts will be paid and managed by renters and which utility service accounts will be provided by the property owner. The renter should have a clear understanding of how payments for utility services managed by the property owner are paid (if they are included in rent or will be charged in addition to rent). Note that the opening of new water, electricity, or natural gas service accounts may require deposit fees and housing unit inspections. Details of who is responsible for each should be included in the lease agreement.
<b>Condition of Property</b>	Most lease agreements will state that by signing the lease the renter agrees to rent the property in its current condition, which complies with the Mississippi

	<p>Residential Landlord Tenant Act. A Visual Health and Safety Inspection and making sure repairs are completed prior to signing the lease helps to support renter health and safety.</p>
<p><b>Right to Enter, Inspect and Repair</b></p>	<p>The property owner should specify the process they will follow when the property needs to be inspected or needs maintenance and repair work. Property owners and renters should agree on how far in advance the property owner will notify the renter about such activities (often 24 hours' notice or more) and if the occupant needs to be present or not. If the property owner conducts any regular annual inspections of the property or appliances in the unit, they should notify the renter of those activities.</p>
<p><b>Repairs</b></p>	<p>The lease statement about repairs should, at minimum, comply with the Mississippi Residential Landlord Tenant Act and state that the property owner is responsible for providing repair services and covering all associated costs if they are necessary to address defects material to health and safety of the unit. The lease may include additional language on compliance with this law, including that the renter must notify the property owner or manager in writing of the defect and if they fail to respond within 30 days the renter can repair the defect and deduct the cost from future rent if the repair costs are less than the cost of one month's rent. Leases should also include details about what renters should do in cases of emergencies (such as gas leaks, plumbing system failures, or appliance malfunction).</p>
<p><b>Maintenance</b></p>	<p>Lease agreements should include details about who is responsible for regular maintenance activities in rental units and common areas, including trash collection and disposal, landscaping, cleaning of common areas or appliances, air filter changes, and similar activities.</p>
<p><b>Equal Housing Opportunity</b></p>	<p>The lease must acknowledge the property owner agrees to comply with the federal Fair Housing Law, which prohibits discriminatory activities in the rental or sale of housing or residential lots to people based on their race, color, religion, sex, disability status, familial status or national origin (protected classes). Property owners are not allowed to refuse to rent, refuse to negotiate, set different terms or conditions of rental agreements, falsely deny that housing is available, assign or steer to particular buildings or neighborhoods, or otherwise make housing unavailable or rental terms unequal for protected classes.</p>
<p><b>Lead Based Paint Disclosure</b></p>	<p>If the unit was built prior to 1978, the lease must include a statement that the unit could present exposure to lead-based paint and the property owner is required to provide the renter with a Lead Warning Statement and two additional items: 1) a report of any lead-based paint hazards identified through past inspections or assessments and previous lead hazard reduction activities completed at the property; and 2) a copy of the most updated version of the pamphlet Protect Your Family from Lead in Your Home produced by the U.S. Environmental Protection Agency.</p>

## Health, Safety and Related Regulations of Rental Properties

Mississippi Residential Landlord Tenant Act (2010)	
<b>What Property Owners Should Know</b>	<p>Requires property owners to:</p> <ul style="list-style-type: none"> <li>● Comply with all agreements stated in the lease during tenancy.</li> <li>● Comply with the requirements of applicable building and housing codes materially affecting health and safety.</li> <li>● Maintain the dwelling unit, its plumbing heating and/or cooling system, in substantially the same conditions as at the inception of the lease, reasonable wear and tear excluded, unless the dwelling unit, its plumbing, heating and/or cooling system is damaged or impaired as a result of the deliberate or negligent actions of the tenant.</li> <li>● Respond to written requests for repairs required for material health and safety of the renters.</li> </ul>
<b>What Renters Should Know</b>	<p>Requires renters to:</p> <ul style="list-style-type: none"> <li>● Comply with all agreements stated in the lease during tenancy.</li> <li>● Give the property owner 30 days' notice, in writing, stating the specific defect that needs repair. Tenants should date the notice and keep a copy and note the method of delivery to the property owner or manager. If the renter does not receive a response they can: <ul style="list-style-type: none"> <li>○ Cancel the lease and vacate the property without financial penalty.</li> <li>○ Resolve through Repair and Deduction—if the repair is not made by the property owner and costs less than one month's rent, the renter can make the repair and deduct the cost from future rent payments with documentation.</li> <li>○ Bring suit against the landlord in justice court.</li> </ul> </li> </ul>
<b>Regulatory Agency</b>	No specified regulatory or enforcement agency.
<b>Reporting Violations</b>	If a dispute is not resolved between property owner and renter, then it could become a subject of suit in justice court.
<b>Additional Guidance</b>	<b>Mississippi Legal Services:</b> <a href="#">Landlord-Tenant Law in Mississippi</a>

Residential Lead Based Paint Hazard Reduction Act (1992) Section 1018	
<b>What Property Owners Should Know</b>	<p>Requires those executing leases of residential properties built prior to 1978 to:</p> <ul style="list-style-type: none"> <li>● Give an EPA-approved information pamphlet "Protect Your Family From Lead in Your Home" to renters.</li> <li>● Disclose known information concerning lead-based paint identified through previous inspections and assessments and previous repair or remediation activities, and provide records of these actions.</li> <li>● Attach a Lead Warning Statement to the lease that confirms compliance with all notification requirements.</li> </ul>
<b>What Renters Should Know</b>	In addition to receiving the required information from the person executing the lease, the renter also has a right to request a lead hazard inspection from a certified inspector and request repairs for hazard control before signing a lease.

<b>Regulatory Agency</b>	U.S. Department of Housing and Urban Development and Environmental Protection Agency
<b>Reporting Violations</b>	Violations are reported to HUD or the EPA. They will travel to investigate complaints concerning violations of the 1018 regulations.
<b>Additional Guidance</b>	<b>HUD:</b> <a href="#">Lead Disclosure Rule</a>

<b>Regulated Repair Activities for Lead Based Paint Hazard Control</b>	
<b>What Property Owners Should Know</b>	If you hire a contractor to conduct renovation, repair, or painting (RRP) projects in a rental unit built before 1978, the contractor must be a Lead-Safe Certified Firm and use qualified trained individuals who follow lead-safe work practices to prevent lead contamination. The owner or occupant must also be certified if they want to conduct RRP activities on the rental property.
<b>What Renters Should Know</b>	Contractors working in rental units built prior to 1978 must follow lead-safe work practices and contain dust and debris in the work area, avoid renovation methods that generate a large amount of dust, clean up thoroughly, and dispose of waste properly.
<b>Regulatory Agency</b>	Mississippi Department of Environmental Quality
<b>Reporting Violations</b>	Report by contacting MDEQ Air Quality Division
<b>Additional Guidance</b>	<b>MDEQ:</b> <a href="#">Lead Based Paint</a>

<b>Fair Housing Act (1968 as amended)</b>	
<b>What Property Owners Should Know</b>	It is illegal to discriminate in the sale or rental of housing, including against individuals seeking housing assistance. The Fair Housing Act prohibits this discrimination based on race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability.
<b>What Renters Should Know</b>	<ul style="list-style-type: none"> <li>• If you believe your rights may have been violated, HUD encourages you to submit a complaint. Because there are time limits on when a complaint can be filed with HUD after an alleged violation, you should submit a complaint as soon as possible.</li> <li>• It is illegal to retaliate against any person for making a complaint, testifying, assisting, or participating in any manager in a proceeding under HUD's complaint process at any time, even after the investigation has been completed.</li> </ul>
<b>Regulatory Agency</b>	Housing and Urban Development, agencies funded by HUD, and the U.S. Department of Justice
<b>Reporting Violations</b>	<a href="#">U.S. Department of Housing and Urban Development</a>
<b>Additional Guidance</b>	<b>HUD:</b> <a href="#">HUD Fair Housing and Equal Opportunity</a>

<b>Reasonable Accommodations and Modifications under the Fair Housing Act Section 504 and Americans with Disabilities Act (1990) Titles II and III</b>	
<b>What Property Owners Should Know</b>	Various federal laws require housing providers to make reasonable accommodations and reasonable modifications for people with disabilities. Federal non-discrimination laws that protect against disability discrimination cover not only tenants with disabilities, but also renters without disabilities who live with people with disabilities. These laws prohibit housing providers from refusing residency to persons with disabilities, or placing conditions on residency because they require accommodations or modifications.
<b>What Renters Should Know</b>	<ul style="list-style-type: none"> <li>• Under the Fair Housing Act, a reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice or service. The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such</li> </ul>

	<p>accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas.</p> <ul style="list-style-type: none"> <li>● In addition, the Fair Housing Act prohibits a housing provider from refusing to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such a person if such modifications may be necessary to afford such a person full enjoyment of the premises.</li> <li>● Titles II and III of the ADA require public entities and public accommodations to make reasonable modifications to policies, practices, or procedures to avoid discrimination. This obligation applies unless the public entity can demonstrate that the modifications would fundamentally alter the nature of its service, program or activity (Title II), or the public accommodation can demonstrate that making the modifications would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations (Title III).</li> </ul>
<b>Regulatory Agency</b>	Housing and Urban Development, agencies funded by HUD, and the U.S. Department of Justice
<b>Reporting Violations</b>	<a href="#">U.S. Department of Housing and Urban Development</a>
<b>Additional Guidance</b>	<a href="#">HUD Fair Housing and Equal Opportunity</a>

## Additional Regulations of Rental Units

Renters and property owners may be subject to additional regulations and policies related to housing property maintenance because the housing units are funded by federal or state affordable housing programs. Rental units could also be located in jurisdictions that have ordinances requiring the registry, inspection, or enforcement of standards for maintenance of residential rental units. This section provides introductory information about publicly subsidized rental housing programs with links to details about housing inspection or maintenance standards for each program. GHHI has also identified municipalities with adopted codes for property maintenance, which apply to occupied rental housing, and municipalities with existing rental registration or inspection programs.

## Policies for Public Housing Units

The U.S. Department of Housing and Urban Development administers the national Public and Indian Housing Program, which was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. HUD works with local Public Housing Authorities to administer rental programs, including management of project-based public housing and the Housing Choice Voucher (Section 8) program. 52 local and regional housing authorities operate these programs in the state of Mississippi. [List of Contacts](#)

All HUD-assisted properties are inspected to make sure they are decent, safe, and sanitary. The Real Estate Assessment Center (REAC) sets the inspection standards and oversees inspections. The current inspection standards and inspection forms [are available from HUD](#) for both public housing and the Housing Choice Voucher Program. Common priorities for inspections include:

- Doors and windows lock and latch properly and surfaces and frames are undamaged.
- Units have working refrigerators.
- Bathroom sinks and showers/tubs are working and plumbing is not leaking.
- Painted surfaces are not chipping or peeling.
- Electrical outlets are covered and switches are not cracked or broken.
- Kitchen stove is working.
- Emergency or fire exits are accessible.
- Clothing dryers are properly vented to the outside.

Effective October 1, 2025, a new inspection standard, known as the National Standards for the Physical Inspection of Real Estate (NSPIRE), will be used by all housing programs subject to REAC. NSPIRE is a method for conducting and processing inspections and is designed to improve confidence in HUD's ability to keep properties in compliance by accurately assessing the condition of a unit, implementing streamlined inspection processes, and prioritizing the health and safety of residents.

Resources to support implementation of the NSPIRE Standards are [available here](#).

Program participants are encouraged to report unit deficiencies to property managers or designated contacts for the Section 8 Program. If those contacts do not address the issue, participants should contact the [Mississippi Field Office](#).

Federally owned and target housing receiving Federal assistance is also subject to the Lead Safe Housing Rule. The LSHR sets requirements for lead-based paint hazards, lead-based paint risk assessments and inspections, as well as lead-based paint hazard remediation and abatement practices for subject properties. The rule also sets a standard response in cases where children under age 6 living in subject priorities are found to have an elevated blood lead level. [Learn more about the Lead Safe Housing Rule](#).



## Policies for Other Subsidized Housing

Other HUD programs administered by the Community Planning and Development Division fund the repair, rehabilitation, or construction of rental housing occupied by low-and-moderate income households. CPD administers the national Community Development Block Grant Program, HOME Investment Partnerships Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program, among others. CPD allocates funding resources based on formulas set by Congress to local and state housing programs and provides oversight for program compliance (including health and safety of occupied housing units). Mississippi Home Corporation receives funding allocations through these programs, and several municipalities also receive direct allocations; each funded entity develops HUD Consolidated Plans to identify priorities for funding, including the development of rental housing.

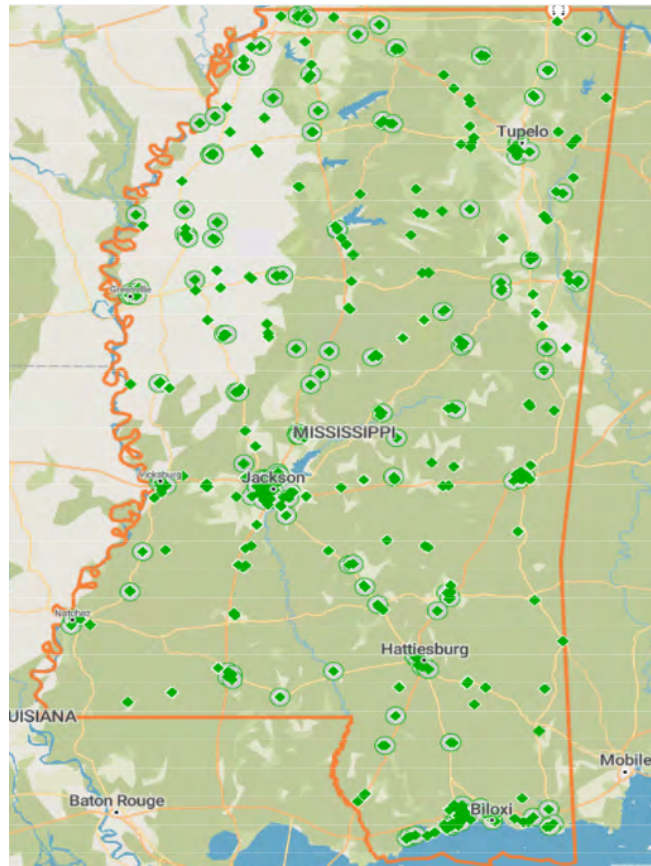
Residents of units funded through these programs typically coordinate with property managers, which could be non-profit organizations, property management agencies, or other related entities, to execute lease agreements and the administrative agents are responsible for property inspections and maintenance during compliance periods. These properties are also subject to local ordinances related to health and safety. [HUD Community Planning and Development Information](#)

Another program for the production and management of rental housing in the state is the Low-Income Housing Tax Credit (LIHTC) Program, which is a national tax credit program administered through the Internal Revenue Service and was created to offer tax incentives to the private sector in exchange for the development of low-income housing.

Mississippi Home Corporation administers the state's LIHTC Program, which has financed the acquisition, construction, and rehabilitation of low- and moderate-income housing since its establishment in 1990. MHC is the state agency responsible for creating and implementing the required program Qualified Allocation Plan (annual guidance that sets criteria for development priorities and the application process for developers), selecting developers and qualifying development plans, and monitoring compliance of developments during construction, rehabilitation, and the following 15-year compliance period (including physical inspections).

The LIHTC Program Compliance Division provides oversight and is required to report non-compliance to the IRS. The [Mississippi Association of Affordable Housing Providers](#) is a trade organization that includes many LIHTC property developers, and can provide more information about how this program operates.

**Residents can call the MHC LIHTC Program Compliance Division at (601) 718-4642 for more information.**



Over [38,000 rental units](#) are currently subject to regulation of this program and they are in locations throughout the state. Residents of LIHTC financed properties typically coordinate with property management companies designated by developers to execute lease agreements and property managers

onsite manage property inspections and maintenance. These properties are also subject to local ordinances related to health and safety. [LIHTC Mapping Tool](#)

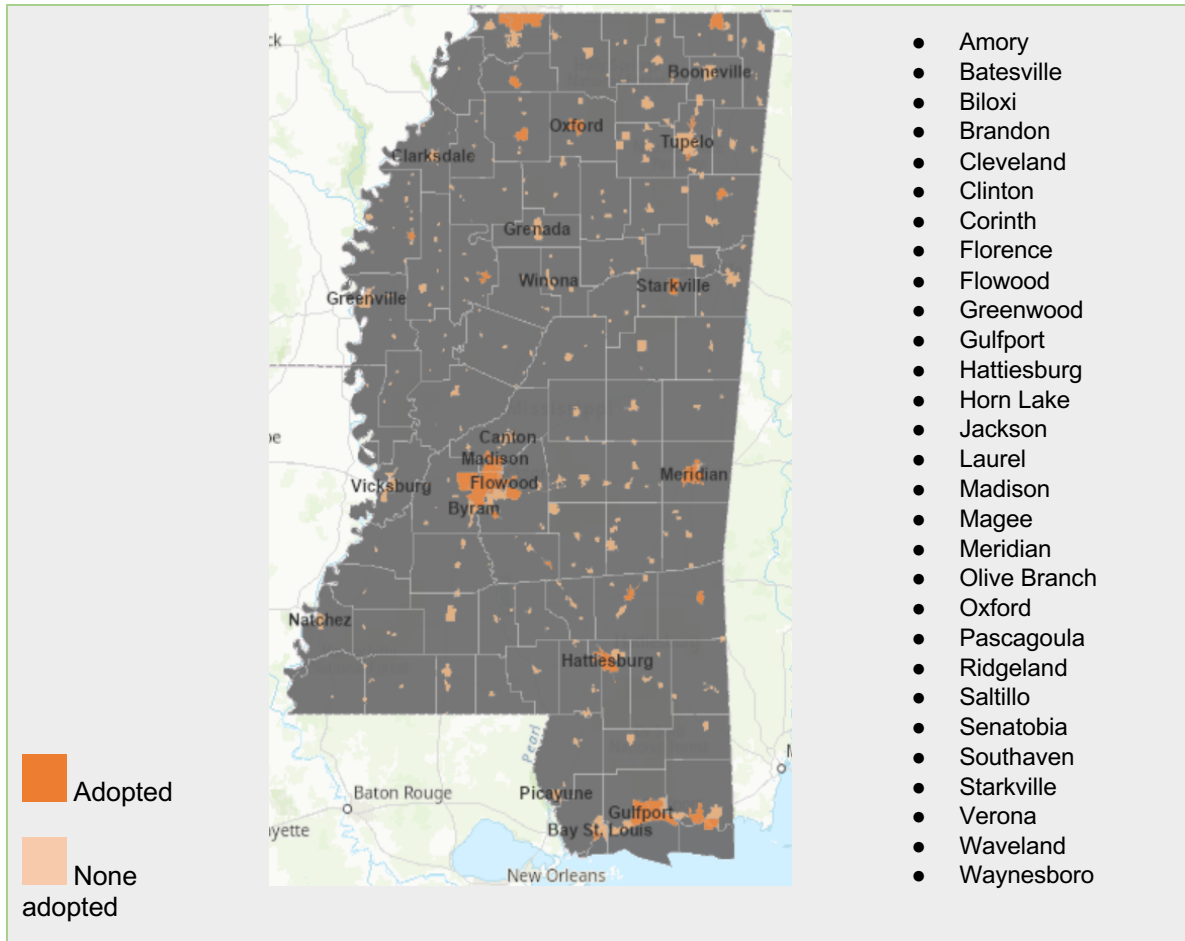
## Property Maintenance Codes and Rental Inspection Programs

Cities, towns, and other jurisdictions throughout the United States regularly adopt and enforce building and property maintenance codes to maintain standards for health and safety of the built environment. The most common source for building code regulations in the United States is the International Code Council (ICC), a non-profit organization established in 1994. Its primary publication, the International Building Code, presents minimum standards for regulating building construction to ensure health and safety of occupants. Other codes produced by the ICC are also commonly adopted by cities to provide additional regulations for building construction and property maintenance. Examples include the International Fire Code, International Property Maintenance Code, International Existing Building Code (used for regulation of renovations), and International Energy Conservation Code. The ICC updates the codes every three years; they [published most current code in 2021](#).

### Links to Rental Registry and Inspection Programs in Mississippi

- [Amory](#)
- [Brandon](#)
- [Clinton](#)
- [Horn Lake](#)
- [Jackson](#)
- [Madison](#)
- [Pearl](#)
- [Ridgeland](#)
- [Southaven](#)
- [Starkville](#)
- [Tupelo](#)

**Municipalities with International Property Maintenance Code Adopted as Local Ordinance (2024)**



(Other jurisdictions with adopted property maintenance codes are Pearl River Valley Water Supply District, Harrison County and Rankin County.)