

Do I keep paying rent if my home was destroyed by a tornado?

by Marine Glisovic
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LITTLE ROCK (KATV) — Do you have to continue paying rent if your home was destroyed in Friday's tornado?

While there is no simple answer, [Seven On Your Side](#) is told there is a strong legal argument that a tenant no longer owes rent if their home or apartment was destroyed due to a tornado.

Kendall Lewellen, an attorney with the Center for Arkansas Legal Services, said while each case differs courts have allowed tenants to get out of leases when the home is uninhabitable.

"In general, I would have tenants just ask their landlords if they expect rent and then call us if they run into problems," Lewellen told 7OYS.

Lewellen did point to some conflicting laws on this issue, "A landlord might argue that because of the new 'habitability' law (A.C.A. 18-17-502), the tenant has to give the landlord written notice of the habitability issues by certified mail and 30 days to fix them before the tenant can get out of the lease."

She emphasized that judges often apply a tenant's "implied warranty of quiet enjoyment," in these particular cases.

If your landlord will not work with you, you're advised to hire an attorney.

If you cannot afford one, and you qualify based on income, you can contact the Center for Arkansas Legal Services (501) 376-3423.