Landlord – Tenant Law: The Basics

Missouri tenants have a right to:

A "habitable" premises. A rented premises must be safe, secure, and in livable condition. This right is known as the "implied warranty of habitability."

The same features and quality the landlord promised to rent. This means the rented home should have the same features, location, and condition that tenants agreed to pay rent to use. No "bait and switch" is allowed.

"Quiet Enjoyment" of the premises. Once a tenant possesses a premises, the tenant has an automatic right to be left alone to reasonably enjoy it. Landlord harassment, bullying, entering without permission, limiting access or many other landlord actions violate this tenant right.

Some Things Landlords and Housing Managers cannot do:

- **Force you out or remove your property** from the premises without a court order;
- **Shut-off utilities** to the premises, or **refuse to fix essential services** that are not working;
- **Change the locks** on the premises without tenant permission, **unless** the landlord has a court order for eviction;

Facts about Landlord lawsuits seeking tenant eviction.

Who has the power to forcibly evict a tenant?

Legal evictions require the power of a court – not just a landlord. Many landlords try to use "self-help" eviction to speed up the process, but this is nearly always illegal. In nearly all cases, a landlord cannot evict a tenant without a court judgment or order.

The landlord must properly "serve" the tenant(s) with the eviction summons and lawsuit. This requires providing the tenant with a **summons** to go to court and the "**petition**." The petition is the document that makes the landlord's claims to the court. A tenant must be properly summoned to court or voluntarily go to court, otherwise, a court cannot legally grant a judgment of eviction.

We hope this information is helpful. You can learn more about tenant rights at:

MoTenantHelp.org

In the pursuit of justice for all, we are the

Consumer Program
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