



How does one get rid of a problem tenant?

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If he has not complied with the rules of the rent agreement you can take action

Q. We had given a house on rent three months back on a rent agreement made in the name of my mother and the tenant. We saw him for just three-four times in the house before he disappeared. His wife kept telling us that he was out of station. Now she doesn't pay us rent and is also refusing to vacate the house. We are not getting any returns on the flat and are even paying her electricity and water bills. She keeps telling us that she will vacate the house soon but that never happens. The advance cheque of one month's rent and security that we had received has also bounced. Moreover, this woman also keeps threatening us, saying that she has good connections in the police department and we cannot forcibly get the house vacated as the rent agreement is valid for 11 months. We live in another house but the other tenant who shares the rented apart-



ment is also disturbed with such behaviour. We want her to leave. How can that be done?

— Name withheld

A. In such circumstances, you can terminate the tenancy for non-compliance of the terms of the rent-agreement and for non-payment of rent, by issuing a notice in writing. Please check the agreement, which also might provide measures for course of action to be taken in such circumstances. Thereafter, you can file a suit for the recov-

ery of possession by way of eviction of the said tenant or proceedings under the Rent Control Act. You can also claim the unpaid rent and the rent for the period she stays in your premises.

Q. I seek your advice on amendment to the registration of my residential property in Gurgaon. I own a house and the ownership is in my name as the sole owner. I want my married daughter to inherit this house. I was initially thinking of writing a will for this purpose. However, to avoid any disputes in the matter like legal challenge from my son, I would like to convert the property, in my lifetime, in the joint names of self and my daughter. I don't know how to accomplish this. Can you please advise? Will it involve re-registration and /or payment of additional stamp duty? One method suggested is to gift the property to my daugh-

ter now and get it registered in her name. But I am not in favour of this as I want to ensure that my wife continues to stay in the house if I predecease her; and to avoid any problem emanating out of any kind of undue pressure from my son-in-law while I am still alive. Kindly advise whether I can legally make my daughter the joint owner right away.

— Name withheld

A. You may consider transferring your property by way of gift in favour of your wife and daughter jointly. You may term the gift deed according to your requirements as per the law. The said transfer shall invite payment of stamp-duty and registration. Alternatively, you can also execute a gift deed for half portion of the property in favour of your daughter. But for the remaining portion, a dispute may arise after the demise.

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