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The First Apartment

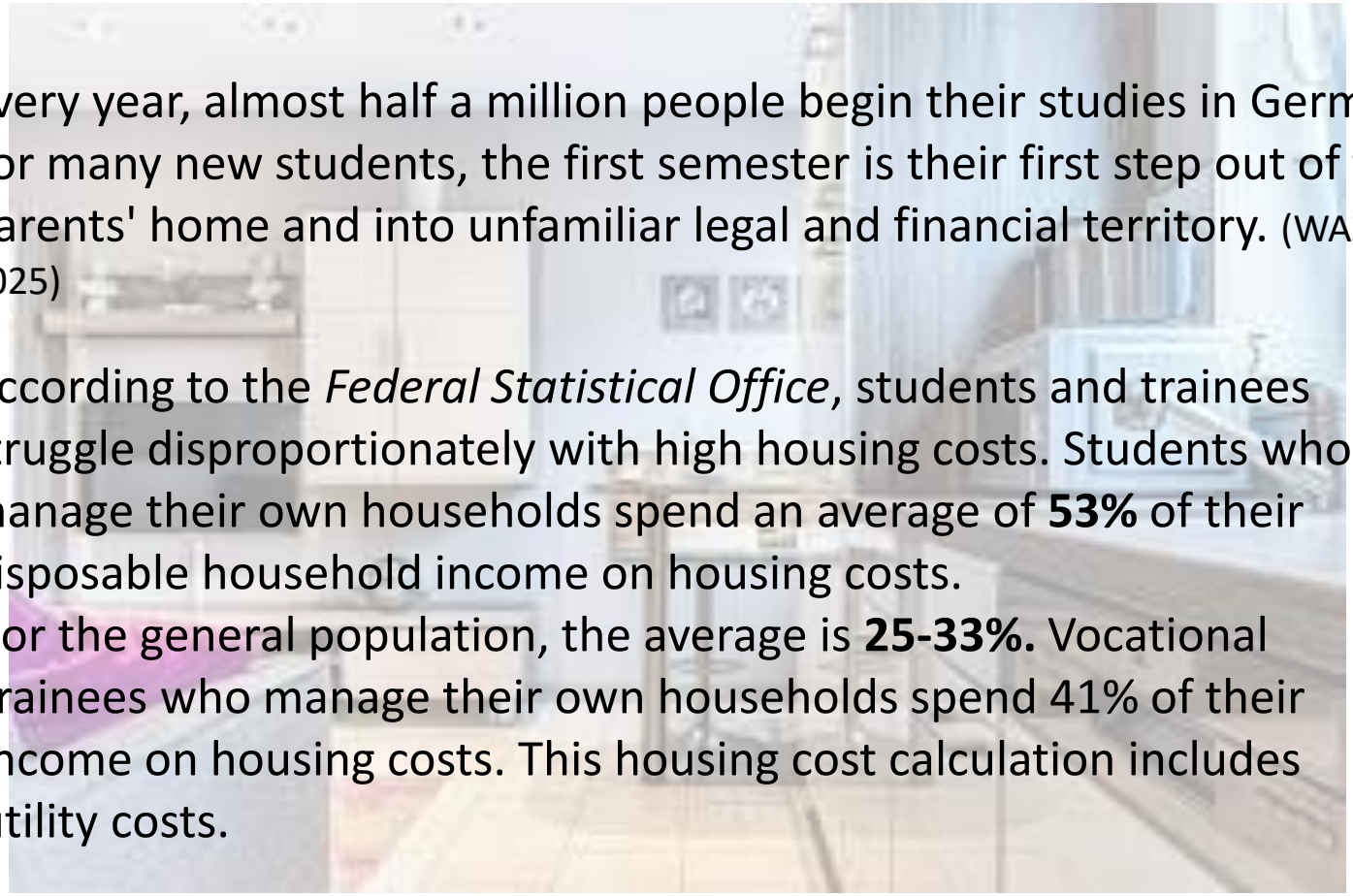
for Students

Content:

- General information
- The Most Important Rights and Duties as a Tenant
- Checklist/Tips for Renting a Residence

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Why is this topic so important for students?



- Every year, almost half a million people begin their studies in Germany. For many new students, the first semester is their first step out of their parents' home and into unfamiliar legal and financial territory. (WAZ 2025)

- According to the *Federal Statistical Office*, students and trainees struggle disproportionately with high housing costs. Students who manage their own households spend an average of **53%** of their disposable household income on housing costs.
  For the general population, the average is **25-33%.** Vocational trainees who manage their own households spend 41% of their income on housing costs. This housing cost calculation includes utility costs.

The Most Important Rights and Responsibilities as a Tenant



- Students have the same rights and responsibilities regarding housing as all tenants.
- The German Civil Code (BGB), as well as German tenancy law, stipulate the regulations regarding rental apartments and tenancy agreements/contracts.
- The rights and responsibilities vary depending on the rental option a student chooses:
  - Own apartment/flat
  - Shared flat (main tenant, subtenant)
  - Furnished room

  Each alternative has advantages and disadvantages.



- Knowing your rights and responsibilities as a tenant is crucial for a smooth tenancy.
- Signing a tenancy agreement entails both rights and responsibilities for the tenant.

Duties of the tenancy



Pay the security deposit:
The tenancy agreement typically stipulates the payment of a security deposit. The landlord may demand a maximum of three months' rent.

Pay the rent on time:
Paying rent is a tenant's most important responsibility. It must not only be done regularly, but also on time. (If the rent is not paid for more than two consecutive months, the landlord can terminate the tenancy without notice.

Comply with the house rules:
If there are house rules, these guidelines apply equally to all tenants, provide clarity, and can prevent disputes in advance. For the house rules to be binding, they must be part of the rental agreement. The house rules can regulate various obligations (quiet periods, cleaning of stairs, use of the basement, etc.).

Duties of the tenancy



Proper heating and ventilation:
The tenant must prevent mold growth.

Report defects:
A defect must be reported immediately. If a defect is not reported, the tenant is liable for consequential damage.

Carry out cosmetic repairs:
According to the rental agreement (e.g., painting walls and wallpapering)

Inform the landlord and obtain permission:
e.g., for large pets

Tenant's obligations when moving out:
The apartment must be handed over in a clean and tidy condition.

Rights of the tenancy



Right to use the rental property:
Tenants have the right to use the rented apartment to its full extent. This also includes the use of shared facilities such as bicycle storage, etc.

Notification of defects and rent reduction:
If defects occur in the rental property, the tenant has the right to notify the landlord. The landlord is obligated to remedy the defects as quickly as possible. If the quality of living is significantly impaired, the tenant can reduce the rent.

Protection against unjustified termination:
Protection against termination ensures that the landlord can only terminate the tenancy under certain legal conditions. Examples include personal use or breach of contract by the tenant.

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Rights of the tenancy



Right to privacy:
The landlord may not enter the apartment without the tenant's consent. Exceptions are emergencies, such as a burst water pipe.

House rules:
The tenant has house rules in the property they rent, meaning they can decide who may enter their apartment and at what times. The landlord must also adhere to these.

Visitation rights:
Tenants also have the right to receive visitors in their apartment at any time. If another person is to move in to share the rental apartment for cost reasons, the landlord's consent must be obtained.

Checklist/Tips
for Renting a Residence



If you're planning to rent your first apartment, you should first get an overview of your financial resources

- Can I afford my own apartment? What income do I have?
- How much are my expenses?
  - What are my rent, operating costs, and heating costs?
  - How much do I spend each month on telephone, cell phone, internet, electricity, and public broadcasting fees?
  - How much are my living expenses (food, other purchases)?
  - How much does my monthly transportation by car, bus, and train cost?
  - How much do I spend on liability insurance, home contents insurance, disability insurance, and other insurance benefits?
  - How much money do I have left for my hobbies/leisure activities?

Checklist/Tips
for Renting a Residence



The money is enough! Before you rent an apartment, you should ask yourself the following important question.

- How many square meters per room do I need?
- How many tenants live in the building?
- Do you need plenty of peace and quiet to study or relax? Or do you enjoy partying? Perhaps you even play an instrument.
- What is the general condition of the apartment? A handover report is advisable.
- What do I need in my apartment? Is it possible to take over furniture/fitted kitchen?
- Can or do I want to become a member of a shared apartment?
- If you want to become a member of an existing shared apartment and take over the rental agreement as a co-tenant, keep in mind that you may be liable for the shared apartment's older debts, such as additional utility bills.

Checklist/Tips
for Renting a Residence



Apartment Search

❖ What should you pay attention to?

If you want to view an apartment, first make an appointment with the landlord and make a note of all defects and additional agreements. A few photos can also be helpful.

❖ The apartment may already be vacant or still occupied.

You should definitely clarify the following questions:

- In what condition will the apartment be handed over (renovated)?
- Who will repair any existing damage to the flooring, doors, plaster, tiles, etc.?
- Which work (wallpapering, painting, new plumbing, etc.) will the landlord be responsible for, and which will the previous tenant be responsible for?

Checklist/Tips
for Renting a Residence



- Other questions you can ask:
  - How is the heating system? (district heating, gas heating, etc.)
  - TV connection (cable TV, satellite dish, digital TV, etc.)
  - Are there water meters?
  - Hot water with an instantaneous water heater (if so, adjust the electricity prepayment)?
  - Who cleans the stairwell?

- If the apartment is still occupied, you should definitely clarify certain items taken over from the previous tenant (e.g., flooring, built-in fixtures) with the landlord. The inspection also includes the basement.



Thanks for your attention

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