



ASSISTANCE

SIDA AAD KU HELI KARTID LACAGTII HORUMARINTA GURIGA EE LAGAA QAADAY (Security Deposit)

Waxaad soo wacday xafiiskeena, sababtoo ah waxaad u baahantahay caawimaad ah in milkiilaha guriga aad degan tahay kuu soo celiyo lacagtii horumarinta(dabaaji) ee uu kaa qaaday. Hadaba xafiiskeenu malaha Qareeno(lawyers) ku filan in ay caawiyaan qofwalba. Sidaa daraadeed waxaan kuu soo direynaa warqadaan ka hadleysa xuquuqdaada isla markaasna kuu sharaxaysa sidii aad lacagtaadii horumarinta(dabaaji) dib ugu heli lahayd.

Milkiilaha guriga aan deganahay ma in uu ii soo celiyaa lacagtii horumariska?

Haddii lacag kiro lagu leeyahay amaba aad jajabisay(damage) guriga aad degan tahay milkiiluhu wuxuu ka goosan karaa lacagtii horumariska ee uu kaa haayey, sidoo kale qarashaadkii ku baxay alaabihii aad uga tagtay guriga xareyntoodii iyo qaaditaankoodii. Haddii milkiiluhu kugu leeyahay lacag ka badan midda uu kaa haayo, wuxuu kugu dacweyn karaa maxkamad sharciyeed, haddiise uu kugu leeyahay lacag ka yar inta uu kaa haysto waa in uu kuu soo celiyaa dhamaanteed amaba qeyb kamid ah lacagtaadii horumarinta.

Milkiilaha guriga aan deganahay ma u heysan karaa lacagtii horumarinta ee uu iga qaaday wax kasta oo dhaawac ah oo soo gaara guriga?

Maya. Milkiilaha gurigu uma heysan karo lacagtii horumarinta (dabaaji) " jeexitaanka iyo qayirmaada caadiga ah". Qayirmaada iyo jeexitaanka waxaa tusaale u ah roogga oo dhamaaday, Rinjiga oo guriga kasoo fuqay, Alwaaxa dhulka yaala midabkiisa oo qayirma, amaba rinjiga guriga marsan oo tirtirma.

Milkiilaha guriga wuxuu ka goosan karaa lacagtaadii horumarinta wax ka baxsan jeexitaanka iyo qayirmaada caadiga ah, waxaana ka mid ah: Qalinka midabka leh (crayon) oo caruurto ku qoraan derbiyada(gidaarada)guriga, Daaqadaha

(dariishadaha) guriga oo la jajabiyo, derbiyada oo la daldalooliyo, amaba in looga tago guriga dhexdiisa qashin amaba alaabo kale oo in la tuuro ah. Sidoo kale haddii aad guriga ka dhigtid mid aad u wasakh badan oo caafimaadka iyo amaankaba u daran, milkiilaha guriga wuu kaa goosan karaa lacagtii uu ku hagaajiyey guriga. Qarashka nadiifintu waa mid guud. Hadaba si laguugu soo celiyo lacagtaadii muran la'aan, uga tag guriga si nadiif ah.

Haddii guriga aad degan tahay ay dabeylo ama dab ay wax gaarsiiyaan amaba dad jebebiyaan, isla markaasba u sheeg milkiilaha guriga, idinkama qaadi karo lacagta lagu sameeyay guriga haddii adiga amaba martidaadu aysan sababin jjabka soo gaaray guriga. Waxaa kale oo talo fiican ah in aad booliska u sheegtid.

Ogeysiis nooc ee ah ayaa la iga rabaa haddii aan guurayo?

Haddii aadan guriga ku deganeyn heshiis qoraal ah (tenant at will) waa in aad siisaa milkiilaha guriga 30 maalmood oo qoraal ogeysiin ah. Waqtiga ogeysiiskuna waa in uu ku dhamaadaa maalin kiro. Adiga iyo milkiiluhu waa ku heshiin kartiin in aad soo gaabisiin waqtigaas, waase in ay noqoto mid qoraal ah.

Haddii aad guriga ku degan tahay heshiis qoraal ah, aqri heshiiska si aad u ogaatid nooca ogeysiinta lagaa rabo.

Haddii aadan siin ogeysiiskii lagaa rabay, waxaa laga yaabaa in milkiiluhu ku weydiisto lacag markii aad guurto ka dib, haddii aad kula jirtay guriga heshiis waxaa macquul ah in uu ku weydiisto kiradii guriga inta ka dhiman waqtiga heshiiska. Sidoo kale tanina waxay ku xiran tahay waxa heshiiska ku qoran.

Milkiilaha guriga aad ka guurtay waa in uu isku dayaa in uu dib u kireysto guriga mar allaale iyo marka uu ogaado inaad ka guurtay



guriga. Haddii uu qof ka kireysto isla marahaantaas, waxaa kaliya oo uu kuweydiisan karaa waqtiga aad guriga ku jirtay, iyo waqtigii ay ku qaadatay in uu qof kale ka kireeyo. Tusaale: kiradaadu waxay tahay \$500 bishiiba waxaadna ka guurtay guriga bisha tobankeeda(10th). Milkiilaha gurigu wuxuu dib u kireystay 15-ka bisha. Wuxuu kugu leeyahay \$250 amaba kiro bisha nuskeed. Milkiiluhu waxaa kale oo uu kugu yeelan karaa qarashaadka macquulka ah si uu guriga dib ugu kireeyo, haddii aadan siin waqtigii ogeysiiska saxda ahaa.

Goormeen dib u heli karaa lacagteydii hormariska(dabaaji)?

Milkiilaha aad guriga ka deganeyd waa in uu kuu soo celiyaa dhamaan lacagtaadii horumariska(dabaaji) amaba uu kuu soo diro warqad ka hadleysa sababta uusan u soo celineyn dhamaan amaba qeyb ka mid ah lacagtaadii horumarinta. Waana in uu kuugu soo diro warqadaan cinwaankii (address) ugu dambeeyay ee uu oga. sii milkiilaha cinwaankaaga cusub amaba waa inaad hubisaa in waraaqahaaga loo soo gudbiyo cinwaankaaga cusub si aad waraaqdaas u heshid.

Haddii aadan guriga ku deganeyn heshiis qoraal ah(tenant at will) milkiilaha guriga waa in uu kuu soo celiyo lacagtaadii horumariska amaba kuu soo diro warqad 21 maalmood gudahood kadib markaad guurtay furaha gurigana u soo celisay.

Haddii aad guriga ku deganeeyd heshiis qoraal ah, Hubi heshiiskaas si aad u aragtid waxa ku qoran. Haddii heshiiska aysan ku qorneyn wax waqti ah , amaba ay ku qoran tahay 30 maalmood ka badan, markaas milkiiluhu wuxuu heystaa 30 maalmood in uu kuugu soo celiyo lacagtaadii amaba uu kuugu soo diro warqad. Tani waa waqti sharcigu xaddiday.

Maxaa dhacaya haddii milkiiluhu uusan ii soo celin lacagteydii ama warqad midna?

Haddii 21 ama 30 maalmood kadib milkiiluhu uusan kuu soo celin lacagtaadii amaba uusan kuu soo dirin warqad, waxaa jira dhowr dariiq oo aad u mari kartid si aad u badbaadisid xuquuqdaada.

Talaabooyinka aad qaadi kartidna waxay kala yihiin:

- In aad buuxisid warqad codsi ah si laguugu soo celiyo lacagtaadii(foomkaasna wuu ku lifaaqan yahay.)
- U dir milkiilihii aad guriga ka deganaan jirtay. Isticmaal nooca xaqiijinta helitaanka warqada(certified mail).
- Xafid koobiga foomka aad dirtay.
- Sug warqadda xaqiijinta soo noqoshadeeda(return receipt).
- Sug 7 maalmood si milkiiluhu uga soo jawaabo(laga bilaabo maalinta uu helay warqadaadii) .

OGOW: Haddii milkiilahi guriga aad ka deganeyd uusan soo sixiixin warqaddii ugu horeysay ee aad u dirtay, udir koobi kale si caadi ah, islamarkaasna sug 10 maalmood (3 maalmood oo ay warqadu ugu tegeyso iyo 7 maalmood oo waqtigii ogeysiinta ah).

Maxaa dhacaya haddii milkiiluhu intaa kadib uusan ii soo celin lacagteydii?

Haddii milkiiluhu uusan kuugu soo celin lacagtaadii 7 maalmood gudahood waxaad awoodaa:

- In aad milkiilaha ka dacweysid maxkamadda qeybta qaabilsan isku heysashada waxyaabaha yar-yar.(arag qoraalka hoose ee isku heysashada waxyaabaha yar-yar)

Ama

- Isku day inaad qabsatid qareen(lawyer) si uu dacwadaada ugu galo"contingency."oo macnaheedu tahay in qareenku lacag kugu leeyahay kaliya marka uu ku guuleysto dacwadaada.Garsooraha maxkamadu wuxuu ku amri karaa milkiilaha guriga in uu bixiyo qareenka lacagtiisa,



maadaama milkiiluhu uu lacagtaadii u heystay "si sharci daro ah."

Ogeysiis Muhiim ah: Shuruucda Maine ee ka hadleysa arimahan kuma jirto haddii aad kireysatay dhismo guri oo ka kooban 5 qeybood ama wax kayar, isla markaasna milkiilaha dhismahaas uu dhinac ka degan yahay. Laakiin waxaad weli xaq u leedahay xuquuq la mid ah inaad dib u heshid lacagtaadii horumariska (dabaaji). waadna ka dacweyn kartaa milkiilaha maxkamadda qaada dacwooyinka isku heysashada yar-yar, si aad u heshid lacagtaadii horumarinta. Laakiin maxkamaddu kuma qasbana in ay xukmiso in milkiiluhu ku siiyo laban-laab lacagtaadii iyo qarashkii ku baxay qareenka (lawyer) Haddaba garsooruhu wuxuu amri karaa wax kasta oo uu u arko in ay tahay cadaalad, marka loo fiiriyo heshiiskii idin dhexmaray adiga iyo milkiilaha guriga.

Sideen uga dacweyn karaa maxkamadda qaada dacwooyinka isku heysashada yar-yar?

Maxkamadda degmadaada ee maine (maine district court) waxaad ka heli kartaa foom kasta oo aad u bahantahay si aad u bilaawdid dacwad ka dhan ah milkiilihii guriga aad ka deganeyd. Waxaa kale oo aad ka heli kartaa buugaag yaryar oo ka hadleysa sida maxkamadda qaada dacwooyinka u shaqeyso. Kaliya weydiiso shaqaalaha xafiiska maxkamadda in ay ku siiyaan foomamkaas iyo buugaagtaas.

Maxkamadda qaada dacwooyinka iskuheysashada waxyaabaha yaryar, waxaana loogu talo galay dadka caadiga ah. Haddi aadan awoodin lacagta lagu xareeyo foomkaas (filing fee) u sheeg shaqaalaha maxkamadda inaad rabtid in aad xareysid arji lacag la'aan ah. iyo foom la yiraahdo "indigency affidavit" (oo ah codsi aad codsanaysid in lagaa daayo lacagta lagu xareeyo foomamkaas). Shaqaalaha maxkamadda ayaa ku siinaya foom aad buuxisid, kaasoo kuweydiinaya xaaladaada dhaqaale iyo sababta aadan u awoodin inaad

bixisid lacagtaas lagu xareynayo foomka.

Weydiiso maxkamadda in ay ku gudoonsiiso laban-laab lacagtii horumarinta ee uu kaa haayey milkiilaha guriga. Maxkamaddu waa kuu xukmin kartaa in milkiiluhu ku siiyo laban-laab lacagtii uu kaa haayey, haddii ay ogaato in uu si sharci daro ah kaaga heystay lacagtaas, adigoo waliba u diray warqad aad ku codsanaysid in uu kuu soo celiyo lacagtaadii. Sidoo kale weydiiso garsooraha in uu kuu xukmiyo wixii qarash ah ee kaaga baxay maxkamadda.

Maxaa dhacaya haddii milkiilaha guriga uu ii soo diro warqad, hadana uu lacag badan ka goosto lacagtii uu iga hormarsaday?

Haddii milkiilaha guriga uu kuu soo diro warqad waqtigii la rabay taasoo uu kuugu sheegayo in uusan kuu soo celineynin dhamaan ama qeyb ka mid ah lacagtii uu kaa haystay, adna aad u maleyneysid in uu wax badan kaa goostay, waxaad ka dacweyn kartaa maxkamadda qaabilsan dacwadaas ee isku heysahada lahaanshaha. waxaa laga yaabaa in aanan lagu xukmin laban-laab lacagtaadii.

Haddii aan dacweeyo milkiilaha guriga isna ma i dacweyn karaa?

xasuusnow in milkiiluhu kugu leeyahay lacag iyo inkale inta aadan dacweeyn. Waxaa hubaal ah in dacwadaas dacwad la mid ah uu adiga kugu soo oogi doono, hadaba haddii uu kugu leeyahay lacag ka badan inta aad ku leedahay inaad maxkamad ka dacweysid ma ahan talo fiican. sidoo kale haddii milkiiluhu adiga ku dacweeyo adna waad dacweeyn kartaa si aad u heshid lacagtaadii horumariska iyo wixii aad ku leedahay oo dhan.

Sharciga maine ee ka hadlaya lacagta horumarinta (dabaaji) wuxuu ku qoran yahay cinwaanka 14aad ee wax ka bedelida sharciyadda ee ku xusan, kaasoo ka bilaabmaya qeybta 6031, waxaadna ka heli kartaa "maine statutes" ee bogga internetkeena, kaasoo ah: www.ptla.org/cliented.htm

waxaa idiin diyaariyey warqadaan pine tree legal assistance
revised july 2008

Ogeysiis

Mar-marka qaar sharciyadu wey isbedelaan, ma balanqaadi karno in akhbaartaani tahay mid aan la bedelin isla markaasna sax ah. Haddii taariikhda kor ku qoran aysan ahayn sanadkaan nasoo wac si loo hubiyo in sharciga wax laga bedelay iyo inkale.

Waxaan u diyaarinay akhbaartaan si adeeg guud ah. Ma ahan talo siin sharci. Diritaanka aan kuu soo direyno warqadaan, ma nihin qareenkaaga oo kale. Mar walba talo weydiiso qareenkaaga, haddii aad awoodid inta aadan bilaabin fal dacwadeed.

REQUEST FOR RETURN OF SECURITY DEPOSIT

(Codsii in la ii soo celiyo lacagtii horumarinta (dabaaji))

14 M.R.S.A. §6031 et seq.

TO (KU SOCOTO): _____

FROM (KA SOCOTO): _____

**As you know, my tenancy in the house/apartment that I rented from you at:
(Sida aad la socotid, deganaashaheygii guriga aan kaa kireystay adiga ee ahaa:)**

**was terminated on:
(wuxuu dhamaaday:)**

_____ **20**__.

As of today you have not returned \$_____ of my security deposit which totaled \$_____, nor have you sent me a written notice explaining why you have not returned my entire security deposit to me. (ilaa iyo hadda iima aadan soo celin \$ -----oo lacagtii horumarinta ahayd taasoo gaareysa \$ ----- iimana aadan soo dirin ogeysiis qoraal ah oo kahadlaya sababta aadan iigu soo celin dhamaan lacagtii horumarinta.)

Therefore, in accordance with the provisions of Maine State Law at 14 M.R.S.A. §6033 and 6034, I am advising you that if a FULL REFUND of my Security Deposit is not made to me within SEVEN (7) DAYS of your receipt of this notice, I intend to bring a law suit against you to recover my Security Deposit, as well as any additional Damages, Costs and Attorneys Fees that the law allows.

(Sidaas daraadeed, sida uu qabo sharciga gobolkan maine qodobkiisa 14 M.R.S.A. 6033 iyo 6034, waxaan kugula talinayaa, haddii aadan dhamaan lacagtaydii horumarinta aadan iigu soo celin 7 maalmood oo ka bilaabmaya maalinta aad heshay codsigaan, waxaan damacsanahay in aan kugu soo oogo dacwad kaa dhan ah, si aan u helo lacagteydii horumarinta, iyo xitaa kharashaadka qareenka iyo wixii lamid ah oo sharciga ogol yahay.)

Payment should be sent to me at: _____
(Lacagta waa in la'iigu soo diraa:) _____

Signed (Saxiix): _____

Date (Taariikhda): _____ **20**__