



How to negotiate rental agreements



Introduction

The purpose of this brochure is to serve as an easy-to-understand guide to negotiations in rental agreements. The brochure is not intended to be exhaustive, and the brochure is meant to be purely advisory.

Jusshjelpa i Nord-Norge receive many cases regarding disagreements between tenants and landlords. We often see that some conflicts can be resolved by negotiation between the two parties. The reason we created this brochure is to provide information on how to negotiate effectively in order to find a solution that both parties can be satisfied with.

The brochure has been prepared by Jusshjelpa i Nord-Norge by the employees Niklas Kristoffersen and Kamilla Arnsen fall of 2024 and translated by Frida Aune spring of 2025. Jusshjelpa reserves the right for potential changes and emphasizes that this brochure is meant for guidance only.

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What can be agreed upon in a rental relationship?

In Norwegian contract law, the general rule is contractual freedom. This means that in principle people are free to agree on whatever they want. An exception to this freedom must be grounded in law or established unwritten legal norms. Unwritten legal norms refer to rules that are not written in a specific law, but that have developed over time through legal practice.

The tenancy act includes exceptions to the freedom of contract. According to section 1-2, first paragraph, it is not allowed to agree on terms that are less favorable for the tenant than what the law provides. This is partly justified by the fact that the tenant is often the weaker party in tenancy relationships. Therefore, the Tenancy Act places certain limits on what can be agreed upon.

What is the importance of negotiations?

Negotiation is when two or more parties with partly conflicting interests try to reach a mutual decision. Conflicts are usually seen as situations where one party gains at the expense of the other - but it does not necessarily have to be that way.

In a rental relationship, the tenant and the landlord must deal with each other for as long as the tenancy lasts. It is therefore desirable to have a good relationship with each other, despite any conflicting interests. Maintaining a good relationship is an example of a shared interest. An example of a conflicting interest could be a request for a rent reduction due to a defect in the rental property. In such a case, the tenant will usually want the highest possible reduction, while the landlord will usually want the lowest possible reduction.



Preparation before negotiation

Before contacting the landlord to discuss any disagreements, it is important to be prepared. Here are a few things that might be helpful to do before entering a negotiation:

1. Documentation

First, it's a good idea to gather any relevant documents related to what is going to be negotiated. Having documentation will help strengthen your arguments. For example, if a tenant is asking for a rent reduction due to mold in the apartment, it's important to take clear photos of the mold so the landlord can understand the extent of the problem.

2. Know your rights

Your arguments will be stronger if you know what you are entitled to. To learn about your rights as a tenant, it's useful to read the Tenancy Act. The Norwegian Rent Disputes Tribunal (Husleietvistutvalget) also has an informative website where you can learn more about your rights as a tenant.

If you have received legal advice from us at Jusshjelpa or from someone else with a legal background, you can use that legal assessment when negotiating with the landlord. If your arguments are based on legal rules, the landlord may be more willing to find a solution.

3. Set clear and realistic goals

Think about what interests you want to protect. These could include feeling fairly treated, paying less, or maintaining a good relationship with the landlord. If you are aware of which interests matter the most to you, it becomes easier to find alternative solutions that meet those needs.

Before negotiating, you should set clear goals for what you want to achieve from the negotiation. For example, it's better to have a goal of a 15% rent reduction than simply aiming for "as much as possible." You should also set an optimistic goal, so you don't

aim too low. If you have a high level of ambition, it can lead you to start with a stronger opening offer in the negotiation. This usually leads to a better outcome.

However, make sure that your high opening is within reasonable limits. The fairness of the result is an important factor in convincing the landlord. That's why your goals for the negotiation should be realistic. If you're negotiating a rent reduction, you could for example refer to what's common in similar cases.

During the negotiation – have a constructive conversation

1. Show understanding for the landlord's perspective

Acknowledgment involves having some understanding of the other person's opinions and how they express their situation and needs. You can do this without giving in.

On the contrary, you increase your credibility and persuasiveness if you show that you understand and appreciate the other person's perspective. You can do this by letting the other party speak while you listen and try to understand. In this way, it will be easier to find solutions that are based on both parties' interests.

2. Be objective

It's often surprising how easily we see each other as opponents in a negotiation. But it doesn't necessarily have to be that way. It's possible to have a rental relationship where both parties can benefit. Stick to the issue and avoid letting emotions control the conversation.

3. Be flexible

Think about alternative and long-term solutions. A negotiation is about finding an outcome that both sides can live with over time. The result is often better when there is a mutual understanding between what you and the landlord agree on. It might be beneficial to compromise during certain negotiations so that the landlord is more open to accommodate your interests in the future.

4. If you come to an agreement, get it in writing

Finally, it's a good idea to write down the agreement between you and the landlord. Oral agreements are just as binding as written ones, but they can be difficult to prove later. It may therefore be beneficial to get the agreement in writing, in case you later disagree about what has been agreed.

Typical topics that can be negotiated and what you should think about

Rent price

- What is the market rate in the area: Rent varies based on location. If the area is particularly attractive, you should expect to pay more.
- What is the condition of the residence compared to the price: If the residence is in good condition, you should expect to pay more.
- How high is the demand in the area: If the demand in the area is low, you'll have a better chance to negotiate the rent.
- Landlords often prefer long-term tenants with reliable payment history: If you can offer this as a tenant, it may be easier to negotiate a lower rent.

Maintenance and repairs

- Understand the costs: This can be done by researching different prices.
- Know your rights: The Tenancy Act has several rules regarding maintenance and repairs. Who is responsible according to the law can vary depending on the situation. The lease agreement may also specify different agreements.
- Describe the problem specifically: Don't exaggerate. Often, the problem can be fixed with simple measures.
- Suggest solutions: Possible solutions could be that the landlord pays for the item while you pick it up and install it. Or that the landlord repairs the item but is given plenty of time to do so.
- Be prepared for counterarguments: Remember to listen to the landlord's perspective. Try to find a compromise that works for both parties.

If the negotiations are unsuccessful:

When negotiations are unsuccessful, it means that the parties have not reached an agreement. There may be several reasons why negotiations fail. If you still need to resolve the situation, you can contact Jusshjelpa i Nord-Norge.

It is also possible to file a case with the Rent Disputes Tribunal (HTU), which handles cases and makes binding decisions in accordance with the Tenancy Act. Before filing a case with the HTU, it is advisable to first check whether you have a valid claim under the Tenancy Act. Jusshjelpa can assist you in investigating whether you have a potential claim worth pursuing. To file a case with the HTU, the cost is NOK 255 for tenants and NOK 1,277 for landlords.

I am still unsure about how to negotiate with my landlord

If you are still unsure about how to negotiate with your landlord, you may want to seek legal advice. Among other things, you can contact us at Jusshjelpa i Nord-Norge. We offer free legal advice.

Below is a list of some other organizations that you can reach out to:



Jussformidlingen: Based in Bergen, it is a legal aid initiative run by students. They offer free legal advice.



Jurk: Located in Oslo, this legal aid initiative is also run by students, offering free legal advice to everyone who identifies as female.

Jussbuss

Jussbuss: Also based in Oslo, this is another student-run legal aid initiative that offers free legal advice.

