

# Listen up MSC 'pool' opens for rugby, dogs

**Editor:**  
We would just like to bring to the attention of A&M (and others) the opening of the MSC swimming pool. It is located near the MSC Tower and there is a miniature gyser located in the center. Saturday we noticed an entire visiting Rugby team taking advantage of your new swimming facilities (which is at least two feet deep). Even dogs are welcomed. Eventually we hope that sunbathing will be allowed. So we hope everyone will be on the lookout for the grand opening and dedication of the MSC Pond swimming pool.

Randy Johnson  
★ ★ ★

## Burnt orange

**Editor:**  
I wonder if the gentleman who is disappointed in A&M because of the orange water monument (not unlike the Arabian Water God) realizes that that tower is not a salute to Texas University, since it is not BURNT orange.  
I wonder also if a misplaced cigarette perhaps might inflame the monument if the weed just happened to hit the 12 gallons of turpentine at the base of the tower.  
I would make this recommenda-

**CADET SLOUCH**

tion: someone ought to remove the temptation for evil is much more likely when temptation is present. God bless our home.  
Lance McClouster

No need to worry, the water tower will be painted sky blue—  
Ed.

★ ★ ★

## Lost landmark

**Editor:**  
My husband and I read in a local TV guide of plans to tear down the old Aggie land water tower. We think this would be a mistake. The tower has been in existence since 1920 and has all these years symbolized A&M. Due to the rebuilding of the campus most of the other old landmarks of Aggie land have disappeared.

I have always been an Aggie supporter. My husband, being from another state, didn't know much about A&M and the Aggie Spirit but has learned in the past year he has been an Aggie and is really impressed by the Aggie Spirit.

We feel that the Aggie Spirit should move now and save the old tower.

Come on Aggies.

Judy & Elden Cheatham

by Jim Earle



EARLE MAY 74

"I've thought sometime that instead of a diploma, we would put in a note to 'see the registrar!' but then again we might get seriously hurt!"

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# Lease Line— Deposits, last month's rent subject of tenant questions

By BARB SEARS

With tenants preparing to move out of their apartments for the summer, a number of legal questions have arisen concerning deposits, rent, etc., and this column will answer some of those which may be common to other tenants who are preparing to vacate.

**Question:** When we moved into Casa Blanca, the manager promised us that our rent for May would be pro-rated, and that we would not be required to pay all of it. Expecting a refund, we paid the May rent, and then were told that the owner, Jim Jett, had said there would be no pro-rated refunds. This does not seem fair, but what can we do about it?

**Answer:** The manager was acting as an agent of the owner in promising you that May's rent would be pro-rated. This understanding must thus be considered an oral agreement, and is every bit as binding as your written lease. If the rent is not refunded you, not only has the landlord broken the lease, but he is also in violation of the Deceptive Trade Practices Act for having committed a "false or misleading act" through the statements of his agent, the manager.

Your approach could be to personally file suit or to file a class action suit with others who were also promised the pro-rated May rent.

**Question:** We are moving out of our apartment soon, and want to know if we can use our deposit to cover for part of our last month's rent.

**Answer:** Under no circumstances should you take such action! Recent laws impose stiff fines for tenants who use their deposits to cover for their last month's rent. In such a situation, the tenant is liable for three times the amount of rent withheld, plus the attorney fees of the landlord.

Withholding rent on the grounds that the security deposit serves as security for unpaid rent, is considered to be an action by the tenant in bad faith.

**Question:** We live in Posada del Rey (Monaco C), and since September, our air conditioning has been broken. We want to withhold part of our rent to force them to repair it. Can we legally do that?

**Answer:** The Posada del Rey lease has a clause which gives the landlord flexibility in making repairs, and stipulates that no rent may be withheld. Therefore, you cannot legally pay less than the full rent. However, some kind of legal action should be possible

against your landlord, for several laws may have been violated, if this is deliberate negligence.

The College Station Standard Housing Code requires that housing units must have either screens or central air conditioning equipment to provide adequate ventilation. In this regard, it appears that the apartment complex may be in violation.

Complaints related to violations of the Standard Housing Code should be directed towards the Building Officer of the city's Public Works Department. Matters concerning violations of the Deceptive Trade Practices Act can be pursued personally or through the Attorney General's Office.

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