



State & Local Government Affairs

Notice to Terminate/Change a Month-to-Month Tenancy 50-State Statutory Review: Abstract

The following chart is a review of the 50 state statutes on notice required, from both a landlord and a tenant, to terminate or change the terms of a monthly lease. Except where otherwise noted, the notice required to terminate a lease is the same as the notice required to change lease terms; however in the case of rent increases, state and local rent control laws may alter a landlord's options. California, Maryland, New Jersey, New York, and Washington, D.C. are the only places that still practice rent control, mostly on the local level. For more information, see <http://www.naahq.org/governmentaffairs/statelocal/rentcontrol/Pages/default.aspx> or contact a local attorney.

Additionally, note that the statutes provided for "Notice to Terminate" are general, and do not necessarily reflect notice requirements for terminating a tenancy for non-payment of rent or a tenant's right to terminate because of domestic violence. Some of these provisions are covered in other charts produced by NAA Government Affairs staff.

The vast majority of states require both the landlord and the tenant to give 30 days' or 1 month's notice before terminating a lease. Landlords sometimes have different notice requirements from tenants (while Connecticut and Utah do not provide any notice requirement for tenants). Less than half the states have a stated statutory requirement concerning notice for changes to the terms of a rental agreement, or increases in rent. Only Wyoming lacks any statutory guidance related to terms for month-to-month tenancies.

Should you require assistance procuring the full statutory language, please contact the NAA Government Affairs staff. Please note that this chart is intended to be used as a reference document, not as professional legal guidance.

Chart updated by NAA staff December 2012

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	Notice Required			
	From Tenant	From Landlord	Statute	Notes
Alabama	30 days	30 days	<i>Code of Ala. § 35-9A-441</i>	No statute on amount of notice required for raising rent/changing other terms.
Alaska	30 days	30 days	<i>Alaska Stat. § 34.03.290 (b)</i>	No statute on amount of notice required for raising rent/changing other terms.
Arizona	30 days	30 days	<i>A.R.S. § 33-1375, 33-1314 (b)</i>	Landlord's right to adjust rent as a result of increased rent taxes must be disclosed in rental agreement
Arkansas	30 days	10 or 30 days	<i>A.C.A. § 18-16-101, A.C.A. § 18-17-704 (b)</i>	A landlord may give 10 days written notice to a tenant who refuses or fails to pay rent (101). No statute on amount of notice required for raising rent/changing other terms.
California	30 days	30 or 60 days	<i>Cal Civ Code § 1946.1, 827a</i>	30 days to change lease terms; 60 days for a rent increase if sum of increase and all prior increases in previous 12 months is more than 10% of lowest rent charged during that time. 60 days notice to terminate from landlord, 30 from tenant. Additionally many localities have rent control ordinances; each city/town is different.
Colorado	91, 28, or 7 days	91, 28, or 7 days	<i>C.R.S. 13-40-107</i>	(a) A tenancy for one year or longer, ninety-one days; (b) A tenancy of six months or longer but less than a year, twenty-eight days; (c) A tenancy of one month or longer but less than six months, seven days. No statute on amount of notice required for raising rent/changing other terms.
Connecticut	N/A	3 days or upon delivery	<i>Conn. Gen. Stat. § 47a-23 (a) and (d)</i>	(a) Landlord required to provide 3 days' notice to terminate tenancy, but no particular amount of notice of a proposed rent increase is required unless prior notice was previously agreed upon. (d) Notice to terminate from landlord based on nonpayment of rent is effective immediately, "upon delivery."

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	Notice Required		Statute	Notes
	From Tenant	From Landlord		
Delaware	60 days	60 days	<i>25 Del. C. § 5106, 5107</i>	If after receiving landlord's notice of proposed new lease terms, the tenant wants to terminate, they have 15 days to do so. Otherwise changes take effect as provided by landlord.
D.C.	30 days	30 days	<i>D.C. Code § 42-3202, § 42-3509.04, § 42-3502.05</i>	Rent Control applies to most units built/permitted before 1976; any increase above base rent (as determined by Board) for rent control units requires 30 days notice
Florida	15 days	15 days	<i>Fla. Stat. § 83.57</i>	No statute on amount of notice required for raising rent/changing other terms.
Georgia	30 days	60 days	<i>O.C.G.A. § 44-7-6, -7</i>	No statute on amount of notice required for raising rent/changing other terms.
Hawaii	28 days	45 days	<i>HRS § 521-71, -21(d)</i>	
Idaho	1 month	1 month	<i>Idaho Code § 55-208, 55-307</i>	Landlord must provide 15 days' notice to change lease terms/raise rent
Illinois	30 days	30 days	<i>735 ILCS 5/9-207</i>	No statute on amount of notice required for raising rent/changing other terms.
Indiana	1 month	1 month	<i>Burns Ind. Code Ann. § 32-31-1-1, 32-31-5-4</i>	Unless otherwise noted in the rental agreement, landlord must provide 30 days' written notice for modifications to written lease
Iowa	30 days	30 days	<i>Iowa Code § 562A.34, 562A.13 (5)</i>	
Kansas	30 days	30 days	<i>K.S.A. § 58-2570</i>	No statute on amount of notice required for raising rent/changing other terms.
Kentucky	30 days	30 days	<i>KRS § 383.695</i>	No statute on amount of notice required for raising rent/changing other terms.
Louisiana	10 days	10 days	<i>La. C.C. Art. 2728</i>	No statute on amount of notice required for raising rent/changing other terms.
Maine	30 days	30 days	<i>14 M.R.S. § 6002, 6015</i>	Landlord must provide 45 days' notice for rent increase

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Maryland	1 month	1 month	<i>Md. REAL PROPERTY Code Ann. § 8-402(b)(3), (b)(4)</i>	2 month's notice required in Montgomery County (except single family rentals) and the city of Baltimore. A limited number of localities in Maryland have rent control, therefore a hard rule for rent increase notices is not available in statute.
Massachusetts	30 days or interval between days of payment, whichever is longer	30 days or interval between days of payment, whichever is longer	<i>ALM GL ch. 186, § 12</i>	
Michigan	Interval between times of payment	Interval between times of payment	<i>MCL § 554.134</i>	No statute on amount of notice required for raising rent/changing other terms.
Minnesota	Interval between time rent is due or 3 months, whichever is less	Interval between time rent is due or 3 months, whichever is less	<i>Minn. Stat. § 504B.135</i>	No statute on amount of notice required for raising rent/changing other terms.
Mississippi	30 days	30 days	<i>Miss. Code Ann. § 89-8-19</i>	No statute on amount of notice required for raising rent/changing other terms.
Missouri	1 month	1 month	<i>§ 441.060 R.S.Mo.</i>	No statute on amount of notice required for raising rent/changing other terms.

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	From Tenant	From Landlord	Statute	Notes
Montana	30 days	30 days	<i>Mont. Code Anno., § 70-24-441, 70-26-109</i>	Landlord must give 15 days' notice of any changes to the terms of the lease.
Nebraska	30 days	30 days	<i>R.R.S. Neb. § 76-1437</i>	No statute on amount of notice required for raising rent/changing other terms.
Nevada	30 days	30 days	<i>Nev. Rev. Stat. Ann. § 40.251, 118A.300</i>	Landlord must provide 45 days' notice for rent increase
New Hampshire	30 days	30 days	<i>RSA 540:2, 540:3, 540:11</i>	Landlord must have just cause to terminate tenancy; refusal to agree to a change in the rental agreement calling for an increase in rent counts as just cause (provided landlord provided tenant 30 days' notice)
New Jersey	1 month	1 month	<i>N.J. Stat. § 2A:18-56, -61.1</i>	Landlord must have just cause to terminate tenancy; refusal to comply with rent increase agreed to at beginning of term counts as just cause. Note that New Jersey allows for municipalities to establish rent control ordinances, and thus each locality has different rules for allowing rent increases.
New Mexico	30 days	30 days	<i>N.M. Stat. Ann. § 47-8-37, 47-8-15(F)</i>	Landlord must deliver notice of rent increase 30 days before rent is due
New York	1 month	1 month	<i>NY CLS Real P § 232-b</i>	Does not apply to New York City. Note that New York still allows rent control, and especially in New York City, rent increases may be highly regulated for rent control units. A hard rule for rent increase notices is therefore not available in state statute.
North Carolina	7 days	7 days	<i>N.C. Gen. Stat. § 42-14</i>	No statute on amount of notice required for raising rent/changing other terms.
North Dakota	1 month	1 month	<i>N.D. Cent. Code, § 47-16-15, 47-16-07</i>	Landlord must give 30 days' notice of changes to lease terms; if the tenant decides to terminate as a result he/she must give 25 days' notice

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Ohio	30 days	30 days	<i>ORC Ann. 5321.17</i>	No statute on amount of notice required for raising rent/changing other terms.
Oklahoma	30 days	30 days	<i>41 Okl. St. § 111</i>	No statute on amount of notice required for raising rent/changing other terms.
Oregon	30 days	30 or 60 days	<i>ORS § 91.070, 90.427</i>	When terminating tenancy, landlords must give tenants of 1 year or less 30 days; tenants of more than 1 year get 60 days (unless property is sold per statute, then it's 30 days). Subletters and other temporary occupants do not get notice.
Pennsylvania		15 or 30 or 10	<i>68 P.S. § 250.501</i>	Notice to quit with 15 days notice to a tenant with a lease of less than one year, 30 days when the lease term is one year or more. Landlord may give 10 days notice to quit when tenant has not paid rent due.
Rhode Island	30 days	30 days	<i>R.I. Gen. Laws § 34-18-16.1, 34-18-37</i>	Landlord must give 30 days' notice for rent increase, 60 days' notice for tenants over 62.
South Carolina	30 days	30 days	<i>S.C. Code Ann. § 27-40-770</i>	No statute on amount of notice required for raising rent/changing other terms.
South Dakota	30 days	30 days	<i>S.D. Codified Laws § 43-32-13, 43-8-8</i>	Landlord must give 30 days' notice of changes to lease terms. The tenant may terminate his lease effective the first day of the next month by providing notice of termination to the landlord within fifteen days of receipt by the tenant of the notice of modification.
Tennessee	30 days	30 days	<i>Tenn. Code Ann. § 66-28-512</i>	No statute on amount of notice required for raising rent/changing other terms.
Texas	1 month	1 month	<i>Tex. Prop. Code § 91.001</i>	Landlord and tenant may agree in writing to different notice periods, or none at all. No statute on amount of notice required for raising rent/changing other terms.

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Utah	N/A	15 days	<i>Utah Code Ann. § 78B-6-802</i>	No statute on amount of notice required for raising rent/changing other terms.
Vermont	1 rental period	30, 60, or 90 days	<i>9 V.S.A. § 4467, 4455, 4456(d)</i>	60 days' notice required for rent increases. Notice to terminate when there is no written lease: 60 days to tenants of 2 years or less, 90 days to tenants of more than 2 years. Notice to terminate when there IS written lease: 30 days to tenants of 2 years or less, 60 days to tenants of more than 2 years. Notice requirements differ for termination for nonpayment of rent or breach of rental agreement.
Virginia	30 days	30 days	<i>Va. Code Ann. § 55-248.37, 55-248.7</i>	No statute on amount of notice required for raising rent/changing other terms, however the statute states that no unilateral changes may be made to the rental agreement. Landlord must abide by notice provisions therein, if any, and tenant must consent to any changes in writing.
Washington	20 days	20 days	<i>ARCW § 59.18.200, 59.18.140</i>	Landlord must give 30 days' written notice of changes to lease terms
West Virginia	1 month	1 month	<i>W. Va. Code § 37-6-5</i>	*No statute on amount of notice required for raising rent/changing other terms.
Wisconsin	28 days	28 days	<i>Wis. Stat. § 704.19</i>	No statute on amount of notice required for raising rent/changing other terms.
Wyoming	No statute			