



A State by State Analysis of Notice for Rent Increases

The requirement that landlords provide notice of rent increases to their tenants not only serves an important purpose in our system of due process, but more practically, it also provides tenants with the time necessary to find new housing accommodations. To this end, rent increase notice requirements have a significant role to play in curbing homelessness rates.

States have adopted four general approaches to rental increase notices. Please note, these notice provisions are most important in periodic rental agreements where there is no written lease. (If there is a written lease, this document usually establishes the applicable notice requirements)

The first and most common approach is to have a fixed notice requirement that applies to every tenant. The most common duration for month to month leases is 30 days, however some have notice requirements as low as 7 days (North Carolina) or as long as 60 days (Delaware).

The second approach is to have bifurcated notice requirements that establish different requirements depending on the size of the rent increase. For instance, California requires 30 days notice for a less than 10% increase, and 60 days notice for a rent increase exceeding 10%.

The third approach is to have different notice requirements for vulnerable populations. For example, Rhode Island provides 60 days notice for tenants who are age 62 or older. South Dakota also provides longer notice for tenants who are in active military service.

Finally, many states have yet to implement a notice requirement for rent increase. In this case, the effective notice for rent increase is the same as whatever the notice is to "terminate the rental agreement" (usually 30 days for month to month leases, but in Colorado, it is only 7 days).

Additionally, you will note that several large cities (Seattle, Portland, Baltimore, Burlington, etc.) impose longer notice requirements than required under state law.

Please refer to the table below for a complete state by state break down of rent increase notice laws.

If you have any questions, please feel free to contact Jack Regenbogen, Esq., at jregenbogen@cclponline.org or 314-479-1617

	Required Notice of Rent Increase (for Periodic Tenancies)
<u>Alabama</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Alaska</u>	At least 30 days.
<u>Arizona</u>	At least 30 days .
<u>Arkansas</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>California</u>	30 days if rent increase is less than 10 percent of the lowest amount of rent charged during the last 12 months. 60 days if rent increase is more than 10 percent of the lowest amount of rent charged during the last 12 months.
<u>Colorado</u>	No state statute applies. For month-to-month tenancies, 7 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Connecticut</u>	"A landlord is not required to give a particular amount of notice to the tenant of a proposed rental increase [...] unless such prior notice was previously agreed upon."
<u>Delaware</u>	At least 60 days.
<u>Florida</u>	No state statute applies. However, to terminate a tenancy, landlords must provide: 45 days notice for quarterly 15 days notice for month to month 7 days notice for week to week
<u>Georgia</u>	At least 60 days.
<u>Hawaii</u>	For month to month tenancies: 45 days notice For tenancies less than month to month: 15 days notice
<u>Idaho</u>	At least 15 days.
<u>Illinois</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Indiana</u>	At least 30 days.
<u>Iowa</u>	At least 30 days.
<u>Kansas</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Kentucky</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Louisiana</u>	No state statute applies. For month-to-month tenancies, 10 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Maine</u>	At least 45 days.
<u>Maryland</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy. ** In <u>Baltimore</u> , 60 days notice required to terminate tenancy
<u>Massachusetts</u>	At least 30 days or one full rental period (whichever is longer).
<u>Michigan</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Minnesota</u>	Notice is one rental period plus one day
<u>Mississippi</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Missouri</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Montana</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that

	the landlord must provide before terminating tenancy.
<u>Nebraska</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Nevada</u>	45 days for month to month tenancies 15 days for any periodic tenancy less than a monthly basis
<u>New Hampshire</u>	At least 30 days.
<u>New Jersey</u>	At least 30 days.
<u>New Mexico</u>	At least 30 days for month to month, or for periodic tenancies that are shorter, notice must be equal to the rental period
<u>New York</u>	In New York State: one month notice is required to terminate tenancy (and/or raise rent) In New York City: 30 days notice is required to terminate tenancy (and/or raise rent). <u>Senior citizens and people with disabilities</u> can also apply for rent increase exemptions.
<u>North Carolina</u>	At least 7 days for month to month; at least 2 days for week to week
<u>North Dakota</u>	At least 30 days.
<u>Ohio</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Oklahoma</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Oregon</u>	30 days for month to month; 7 days for weekly tenancies. ** In Portland, notice must be 90 days (as of Oct., 2015).
<u>Pennsylvania</u>	No state statute applies. For month-to-month tenancies, 15 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Rhode Island</u>	At least 30 days; for tenants age 62 or older, notice must be at least 60 days
<u>South Carolina</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>South Dakota</u>	At least 30 days; at least 60 days for tenants that are active military service members or who have immediate family members on active service.
<u>Tennessee</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Texas</u>	No state statute applies. For month-to-month tenancies, one month is the length of notice that the landlord must provide before terminating tenancy.
<u>Utah</u>	No state statute applies. For month-to-month tenancies, 15 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Vermont</u>	No state statute applies. For month-to-month tenancies in which tenant has resided at the same place for less than two years, 60 days is the length of notice that the landlord must provide before terminating tenancy. For month to month tenancies in which tenant has resided for <i>more</i> than two years, 90 days notice is required. **90 day notice for rent increase is required in <u>Burlington, VT.</u>
<u>Virginia</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Washington</u>	At least 30 days; **In <u>Seattle</u> , 60 days notice is required when rent increase exceeds 10%
<u>West Virginia</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Wisconsin</u>	At least 28 days for month to month tenancies.
<u>Wyoming</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.