

# Termination of Lease Agreement

This Termination of Lease Agreement (this "Termination Agreement") is made by and between \_\_\_\_\_ ("Landlord") and \_\_\_\_\_ ("Tenant"). The Landlord and Tenant previously entered into a Lease Agreement dated \_\_\_\_\_ for premises located at \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (the "Premises") for a term of \_\_\_\_\_ months beginning on \_\_\_\_\_ and ending on \_\_\_\_\_ (the "Lease Agreement"). Both Landlord and Tenant now agree said Lease Agreement will terminate effective as of \_\_\_\_\_. Tenant will deliver and surrender possession of the Premises to the Landlord no later than the Termination Date.

Landlord and Tenant wish to terminate the original Lease Agreement for the following reason(s):

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The Tenant's forwarding address for any notices and any remaining security deposit is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

## SIGNATURES

Landlord's Signature

Date

Tenant's Signature

Date

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## GENERAL INSTRUCTIONS

People often need a Lease Termination when circumstances change for either the Tenant or the Landlord. A simple Notice of Termination or Termination Agreement will address the following:

- When the Tenant must leave and whether a walk through should be done
- Where the Landlord should forward future notices or security deposit
- Why the Lease or Rental Agreement is being ended or not renewed
- What is the original start and end date of the Lease or Rental Agreement

### WHAT IS a LEASE TERMINATION?

A Lease Termination is needed when a Lease or Rental Agreement between a Landlord and Tenant is being ended.

There are two ways to end a lease and release both parties from their obligations.

If only ONE party wants to end the relationship, the Landlord or Tenant may unilaterally send a Notice of Termination to the other party.

If BOTH parties agree, the Landlord and Tenant may sign a mutually agreed upon Termination Agreement. A sample Notice of Termination or Termination Agreement will identify the following basic elements:

- Landlord: name of the party who owns the Premises being rented
- Tenant: name of the party who rents the Premises and pays the Landlord
- Original Lease or Rental Agreement: name, start, and end date of lease
- Vacate Date: when the Tenant will move out and leave the property
- Forwarding Address: where to send future notices or security deposit

Reason for Termination: an explanation for ending the lease

### WHEN IS IT NEEDED

Some Leases or Rental Agreements require notice be sent if the landlord-tenant relationship will end. If you want to end a lease early, use a Notice of Termination to officially communicate the need to stop the lease. For example, a month-to-month rental agreement may require a one month or two month notice.

Advanced warning gives the Landlord time to find another renter and provides the Tenant enough time find a new home.

In situations where the Landlord is evicting the Tenant, a notice or agreement shows the court that the Landlord gave a fair warning. Hopefully, the Landlord has been documenting all the written letters and notices being sent to the Tenant. A good paper trail can save the Landlord time in the future if a judge becomes involved.

As the Tenant, you may have a very good reason to end your lease early. If you have asked your Landlord to fix the heater during the winter with no luck, you may find it useful to send a final letter. A Tenant's Notice of Termination to the Landlord can explain why you believe the Landlord has violated the Implied Warranty of Habitability and why you need to end the lease and find a warm home for you and your family.

### WHAT HAPPENS IF YOU DON'T USE

If you do not use a Notice of Termination or Lease Termination Agreement, the court may not sympathize with your situation. The law does not look well upon Tenants who simply move out without any notice or Landlords who kick out their Tenants without any advanced warning. Society is better off when people can expect that their Lease or Rental Agreement for one year will be honored.

Instead of simply leaving, Tenants are expected to have adult conversations with their Landlords about why they need to leave. Tenants can offer to sublet the place to another trustworthy person or give the Landlord a chance to fix the heater (if they haven't already).

### OTHER NAMES

As a reference, an Independent Contractor Agreement is called by other names:

- Early Lease Termination Letter
- Lease Termination Letter
- Notice of Lease Termination
- Notice of Termination
- Notice of Terminating
- Tenancy Notice to End Tenancy
- Release of Lease Agreement
- Termination Agreement
- Termination of Lease Form

