

I Want to Move and I Don't Have a Lease

Do I have to tell my landlord that I plan to move if I do not have a lease?

Yes! Even if you do not have a lease, you must tell your landlord that you plan to move.

When should I tell my landlord that I plan to move?

You must give your landlord a full calendar months' notice that you plan to move. For example, if you want to move out on December 1, you should inform your landlord by October 31. If this time has already passed, you should let your landlord know as soon as possible.

Do I have to tell the landlord in writing?

No. You can tell the landlord verbally or in writing. We suggest that you put the notice in writing and keep a copy of the notice for your records.

Do I have to pay my rent after I give my notice to move?

Yes. You are still responsible for paying for any time you stay in the apartment. If you stay in your apartment after the move-out day you told your landlord, you may be responsible for paying that full month's rent as well.

If you are moving because your apartment is in bad shape and you believe you should not have to pay rent, call Neighborhood Legal Services, Inc. at (716) 847-0650. We can provide you with information about rent withholding.

What could happen if I don't have a lease and I don't give my landlord proper notice?

If you do not give proper notice, your landlord could hold you responsible for the rent for the month after you move if he or she is unable to rent the apartment.

How could my landlord try to collect money from me if I do not give proper notice?

Your landlord could take you to small claims court and try to get a money judgment against you.

What happens if I give notice to move and I do not move when I said I would?

Your landlord may bring you to court and try to have you evicted. If you are a month-to-month tenant, your landlord may be able to collect double the rent for the time you stay over.

What should I do if I give notice to move and for some reason I cannot move?

Let your landlord know as soon as possible. Your landlord may be able to charge you double the rent if you do not tell him or her before the date you promised to move.

If your landlord refuses to let you stay, they must bring an eviction proceeding in court before you can be forced to move. Only a judge can order you to move. Never ignore court papers. If your landlord sends you court papers and you would like a free attorney to represent you in court, you can call the **Western New York Eviction Prevention Hotline at 844-230-7376.**

Even after a judge orders it, a civil officer (sheriff or marshal) has to be the one to put you out. If the landlord tries to put you out by themselves, call 911 and tell them that you are being illegally evicted.