

## **I Want To Move And I Don't Have A Lease**

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### **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. If you pay rent on the first of the month, you must give notice at least the day before your last rental payment is due. For example, if you plan to move December 1, tell your landlord by October 31.

### **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 the month's rent for any time you stay in the apartment during that month. 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.

If you stay in your apartment after the day you told your landlord you would move, you may be responsible for paying that full month's rent as well. Under New York State law, your landlord may even be entitled to collect double your usual rent if he or she demands it.

### **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, he or she must bring an eviction proceeding in court before you can be forced to move. Only a judge can order you to move.