

# Appendix:

## State Real Estate Laws

On the following pages are state listings containing relevant information regarding real estate and landlord/tenant law. You are advised to check your state's listing carefully to determine the particular requirements in your jurisdiction. Every state has some differing requirements. Following is an explanation of the listings:

**State Landlord-Tenant Statutes:** This listing provides a reference to the statute book location that contains each particular state's laws regarding landlord/tenant relations.

**State Property Law Statutes:** Should you wish to research the law in your state, this lists the name and chapter of the state statute in which the laws regarding real property are found in each state.

**State web address:** This listing notes the internet web address of each state's online website. For most state sites, you will arrive at the main index for the state and will need to locate the specific site for the state's statute/legislative information by using the references in the listings above, *State Landlord-Tenant Statutes* and *State Property Law Statutes*. These websites were current at the time of this appendice's publication.

**State Real Estate Disclosure Laws:** This listing specifies the name of the document that is required to be completed by a seller disclosing their knowledge about the property for sale. At press time, 32 states had provided some type of statutory real estate disclosure form. Also noted is the statutory location of real estate disclosure laws.

**Landlord's Entry to Real Estate:** This listing provides the state requirement surrounding the right of a landlord to enter a rented property.

**Security Deposit Amount Limits:** Under this listing are noted the various state limits on the amount that a tenant can be charged as a security deposit.

**Deadlines for Security Deposit Returns:** Details are provided under this listing regarding the time limits imposed by each state for the return of a tenant's security deposit.

**Interest Required on Security Deposits:** This listing provides each state's requirements regarding whether a landlord must provide interest to the tenant for the holding period of the tenant's security deposit.

**Separate Account Required for Security Deposits:** This listing specifies whether a landlord is required to keep tenant security deposits in a separate bank account.

**Exemption from Security Deposit Laws:** This listing specifies which, if any, rental units are exempt from security deposit laws.

**Notice Required to Change or Terminate Month-to-Month Tenancy:** This listing provides the time limit required of a landlord to provide a tenant with notice that a month-to-month tenancy is being changed or terminated.

**Rent Late Fees:** This listing provides state requirements surrounding the ability of a landlord to impose fees for the late payment of rent and any restrictions as to the amount of those fees.

**Required Landlord Disclosures:** This section provides information regarding any state requirements for landlord disclosures.

**When and Where Rent is Due:** This listing identifies the statutes containing any requirements regarding when and where rent is due and if there are any grace periods for late rental payments.

**Notary Acknowledgment:** This listing provides additional state requirements to the standard Notary Block.

**Claim of Lien:** This listing provides additional state requirements to the standard Claim of Lien. You should also be certain to check with your local court clerk and/or an attorney to be certain that there are no additional recording, deadlines, language or notarization requirements for the Claim of Lien to be effective.

**Other Recording Requirements:** Unless otherwise noted, all of the following items are the standard state requirements for the recording of deeds and/or other recordable documents. Although not all of these items are mandatory for all states, however, they are highly recommended as the document will then be valid and recordable in any state. Any additional state-specific requirements which may be necessary are noted under the individual state listings in the following Appendix.

- Document must be in writing and signed and dated by the grantor.
- Document must identify grantor and grantee and provide their addresses.
- If document is deed, it must contain words of conveyance and adequately describe land conveyed (generally both by a street address and also a valid legal description that is exactly the same as the description on the current deed).
- Document must be on 8 1/2" x 11" paper of at least 20# weight.
- Document must have 1" margins at sides and bottom, and a 3" margin at the top.
- Grantor's signature must be notarized and witnessed by two persons.
- Name of person requesting recording of document must be noted.
- Name of address of person who prepared document must be noted.
- Name and address of the person or entity to which the recorded document should be mailed to upon recording must be noted.

# Alabama

**State Landlord-Tenant Statutes:** The Code of Alabama, Title 35, Chapter 9. **State Property Laws Statutes:** The Code of Alabama, Title 35.

**State Law Website:** <http://www.alabama.gov/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. Reasonable notice for inspection, repairs, viewing of property and if tenant is absent in excess of 14 days (The Code of Alabama, Section 35-9A-303).

**Security Deposit Amount Limits:** 1 months rent (The Code of Alabama, Section 35-9A-201).

**Deadlines for Security Deposit Returns:** 35 days with the landlord providing an itemized list of amounts withheld (The Code of Alabama, Section 35-9A-201).

**Interest Required on Security Deposit:** No interest required unless the landlord does not meet the required time period, if failure occurs landlord may pay double amount of the deposit (The Code of Alabama, 35-9A-201).

**Separate Account required for Security Deposit:** No statute.

**Exemption from Security Deposit Laws:** No statute.

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 10 days to terminate. No statute to change rent. (The Code of Alabama, Section 35-9-3).

**Rent Late Fees:** Landlord must notify in writing any late fee, and may terminate lease within seven days of delivering notice of breach (The Code of Alabama, Section 35-9A-421).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Code of Alabama, Section 35,-9A-202).

**When and Where Rent is Due:** Details of when and where rent is due. (Code of Alabama, Section 35,-9A-161(c)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (The Code of Alabama, Section 35-4-29).

**Claim of Lien:** No preliminary notice necessary. For prime contractors, a Verified Statement of Lien must be filed within 6 months after the last day on which labor or materials were furnished. Standard Claim of Lien form generally acceptable for use as a Verified Statement of Lien. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. (The Code of Alabama, Section 35-11-1+).

**Other Recording Requirements:** Disclosure of marital status of all grantors on all conveyances of land. (The Code of Alabama, Section 35-4-73). Where a married person conveys the homestead, his or her spouse must sign the conveyance. (The Code of Alabama, Section 6-10-03).

# Alaska

**State Landlord-Tenant Statutes:** Alaska Statutes, Sections 34.03.010 to 34.03.380.

**State Property Laws Statutes:** Alaska Statutes, Title 34.

**State Law Website:** <http://www.state.ak.us/>

**State Real Estate Disclosure Laws:** Residential Real Property Transfer Disclosure Statement. (Alaska Statutes, Title 34, Chapter 80). Disclosures in Residential Real Property Transfers. (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs, viewing of property and if tenant is absent for long periods. (Alaska Statutes, Section 34.03.140).

**Security Deposit Amount Limits:** 2 months rent. (Alaska Statutes, Section 34.03.070).

**Deadlines for Security Deposit Returns:** 14 days if the tenant gives proper notice to terminate rent. 30 days if tenant does not give proper notice. (Alaska Statutes, Section 34.03.070).

**Interest Required on Security Deposit:** No. (Alaska Statutes, Section 34.03.070).

**Separate Account required for Security Deposit:** Yes. (Alaska Statutes, Section 34.03.070).

**Exemption from Security Deposit Laws:** Rental units that cost more than \$2,000 per month are exempt. (Alaska Statutes, Section 34.03.070).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Alaska Statutes, Section 34.03.290(b)).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Alaska Statutes, Section 34.03.080)

**When and Where Rent is Due:** Details of when and where rent is due. (Alaska Statutes, Section 34.03.020(c))

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Alaska Statutes Section, 09-63-100).

**Claim of Lien:** No preliminary notice necessary, but use of preliminary Notice of Right to Lien extends the time limit for filing the Claim of Lien from 15 days to 90 days. For prime contractors who have not filed a preliminary notice, a Claim of Lien must be filed within 15 days after a Notice of Completion is recorded. Standard Claim of Lien form generally acceptable for use as a Claim of Lien. Different time limits apply for subcontractors and material suppliers. Please check the Statute specifically. (Alaska Statutes Section, 34-35-005+).

**Other Recording Requirements:** Document must be accompanied by or contain the name of the recording district in which it is to be recorded. Also, an exact or fully conformed copy of an original document must be accompanied by an affidavit of the person offering the document. (Alaska Statutes Section, 40-17-030).

# Arizona

**State Landlord-Tenant Statutes:** Arizona Revised Statutes, Sections 33-1301 to 33-1381 and 12-1171 to 12-1183.

**State Property Laws Statutes:** Arizona Revised Statutes, Title 33.

**State Law Website:** <http://www.azleg.state.az.us/>

**State Real Estate Disclosure Laws:** Affidavit of Disclosure. (This form is provided on the Forms-on-CD). May also additionally use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD. (Arizona Revised Statutes, Section 33-422).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 days notice for inspection, repairs, viewing of property and if tenant is absent for long periods. (Arizona Revised Statutes, Section 33-1343).

**Security Deposit Amount Limits:** 1 ½ month's rent. Landlord can charge more only if renter agrees. (Arizona Revised Statutes, Section 33-1321).

**Deadlines for Security Deposit Returns:** 14 business days. (Arizona Revised Statutes, Section 33-1321).

**Interest Required on Security Deposit:** No. (Arizona Revised Statutes, Section 33-1321).

**Separate Account required for Security Deposit:** No. (Arizona Revised Statutes, Section 33-1321).

**Exemption from Security Deposit Laws:** None. (Arizona Revised Statutes, Section 33-1321).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Arizona Revised Statutes, Section 33-1375).

**Rent Late Fees:** Reasonable amount of late fee after nonpayment of rent for 5 days. (Arizona Revised Statutes, Section 33-1368(B)).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Any non-refundable fees must be stated in the lease. Separate utility charges by the landlord must be stated in the lease. A move-in/move-out checklist is required and the tenant has the right to be present at the move-out inspection. (Arizona Revised Statutes, Section 33-1321).

**When and Where Rent is Due:** Details of when and where rent is due. (Arizona Revised Statutes, Section 33-1314(C) and 33-1368(B)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Arizona Revised Statutes, Section 33-506).

**Claim of Lien:** Preliminary notice is required and must be given within 20 days after providing labor, services, or materials (Arizona Revised Statutes 33-992.01). For prime contractors a claim must be filed within 60 days of giving Preliminary Notice or within 120 days pf completion and serve on owner within a reasonable time. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Arizona Revised Statutes, Section 33-981+).

**Other Recording Requirements:** An affidavit of legal value must be attached to the conveyance. (Arizona Revised Statutes, 11-1133).

# Arkansas

**State Landlord-Tenant Statutes:** Arkansas Code, Sections 18-16-101 to 18-17-913.

**State Property Laws Statutes:** Arkansas Code, Title 18.

**State Law Website:** <http://www.arkleg.state.ar.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** No Statute.

**Security Deposit Amount Limits:** 2 month's rent. (Arkansas Code, Section 18-16-303 to 18-16-306).

**Deadlines for Security Deposit Returns:** 60 days. (Arkansas Code, Section 18-16-303 to 18-16-306).

**Interest Required on Security Deposit:** No interest required unless the landlord does not meet the required time period, if failure occurs landlord may pay double amount of the deposit. (Arkansas Code, Section 18-16-303 to 18-16-306).

**Separate Account required for Security Deposit:** No. (Arkansas Code, Section 18-16-303 to 18-16-306).

**Exemption from Security Deposit Laws:** Does not apply to a landlord who owns 5 or less units. It does apply if the units are managed by another party for a fee. (Arkansas Code, Section 18-16-303).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 10 days to terminate or change rent. (Arkansas Code, Section 18-16-101).

**Rent Late Fees:** Landlord must notify in writing any late fee, and may terminate lease within five days of delivering notice of breach (Arkansas Code, Section

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** Details of when and where rent is due. (Arkansas Code, Section 18-17-401); state law also provides for rental grace periods (Arkansas Code, Section 18-17-401, 18-17-701, and 18-17-901).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Arkansas Code, Section 16-47-207).

**Claim of Lien:** Preliminary Notice is required for residential projects and should be provided for commercial projects both according to statute. (Arkansas Code, Section 18-44-101+). For prime contractors within 120 days after labor or materials furnished 'a just and true account of the demand due and owing,' along with an affidavit must be filed. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Arkansas Code, Section 18-44-101+).

**Other Recording Requirements:** Where a married person conveys the homestead, his or her spouse must sign the conveyance. (18-12-403). Document must have a two and one-half inch margin at the right top of the first page, one-half inch margin on the sides and bottoms of all pages, and a two and one-half inch margin at the bottom of the last page. (14-15-402). Document must be acknowledged pursuant to 16-47-207. (14-15-402). Must provide proof of payment of tax. (26-60-110).

# California

**State Landlord-Tenant Statutes:** California Civil Code, Sections 1940 to 1954.1 and 1954.50 to 1954.535 and 1961 to 1962.7.

**State Property Laws Statutes:** California Civil Code, Division 2, Part 2. Real or Immovable Property.

**State Law Website:** <http://www.leginfo.ca.gov/>**State Real Estate Disclosure Laws:** Smoke Detector Statement of Compliance, (CA Health and Safety Code 13113.8(b)). Military Ordnance Disclosure (Civil Code 1102.15). Industrial Use Disclosure, (Civil Code 1102.17). Earthquake Hazards Disclosure and Homeowner's Guide to Earthquake Safety, (CA Business and Professions Code 10149). Methamphetamine Contaminated Property Disclosure, (CA Health and Safety Code §§ 25400.10 et seq). Real Estate Transfer Disclosure Statement, (Civil Code Section 1102-1102.18). Natural Hazard Disclosure Statement, (Civil Code Section 1103-1103.14). (The last two forms are provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice repairs and viewing of property. 48 hours for move out inspection. (California Civil Code, Section 1950 and 1954).

**Security Deposit Amount Limits:** 2 months rent if unfurnished. 2 ½ month's rent if unfurnished and renter has a waterbed. 3 months rent if furnished. 3 ½ months rent if furnished with a waterbed. (California Civil Code, Sections 1950.5 and 1940.5(g)).

**Deadlines for Security Deposit Returns:** 3 weeks. (California Civil Code, Sections 1950.5 and 1940.5(g)).

**Interest Required on Security Deposit:** No. (California Civil Code, Sections 1950.5 and 1940.5(g)).

**Separate Account required for Security Deposit:** No. (California Civil Code, Sections 1950.5 and 1940.5(g)).

**Exemption from Security Deposit Laws:** No. (California Civil Code, Sections 1950.5 and 1940.5(g)).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days for tenant to terminate or change rent. 30 days for landlord to terminate or change rent. 60 days for landlord when raising rent or if tenancy is for over 1 year. (California Civil Code, Sections 1946, 827a, and 827b).

**Rent Late Fees:** No statute. Late fees are unenforceable under California case law.

**Required Landlord Disclosures:** The following notice must be included in all leases: "Notice-Pursuant to Section 290.46 of the California Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at [www.meganslaw.co.gov](http://www.meganslaw.co.gov). Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and Zip Code in which he or she resides." In addition, landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord also must disclose whether utilities to the property also serve other properties and how the costs are allocated. Landlord must also give written notice to prospective tenants of any pending demolition permits, known locations of former federal or state ordnance, any known toxic mold, and any pest control disclosures. (California Civil Code, Section 1950.5(m), 1940.6, 1940.7, 1940.8, and 2079.10a; California Health & Safety Code, Sections 26147 and 26148; California Business and Professional Code, Section 8538).

**When and Where Rent is Due:** Details of when and where rent is due. (California Civil Code, Sections 1947 and 1962).

**Notary Acknowledgment:** In addition to standard Notary Block, the following language is necessary: Under penalty of perjury. (California Civil Code, Section 1189).

**Claim of Lien:** No preliminary notice necessary. For prime contractors a claim of lien must be recorded



within 60 days of notice of completion or notice of cessation. If neither is filed a claim must be filed within 90 days of completion of work. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (California Civil Code, Section 3082+).

**Other Recording Requirements:** Document must be legible, photographically, reproducible, in English or translated, capable of being indexed, contain title of document, have the left 3 1/2" for the name of the person requesting recording and return address and the right 5" left blank for the recorders stamp. (Government Code §§ 27200 et seq.).



# Colorado

**State Landlord-Tenant Statutes:** (Colorado Revised Statutes, Sections 38-12-101 to 38-12-104, 38-12-301 to 38-12-302).

**State Property Laws Statutes:** Colorado Revised Statutes, Title 38.

**State Law Website:** <http://www.leg.state.co.us/>

**State Real Estate Disclosure Laws:** Seller's Property Disclosure (Colorado Real Estate Commission SPD 19-10-05). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No Statute.

**Security Deposit Amount Limits:** No limit in statute. (Colorado Revised Statutes, Section 38-12-102 to 38-12-104).

**Deadlines for Security Deposit Returns:**

1 month unless rental agreement states otherwise, no more than 60 days. 72 hours if a hazardous situation concerning gas equipment requires renter to vacate property. (Colorado Revised Statutes, Section 38-12-102 to 38-12-104).

**Interest Required on Security Deposit:** No. (Colorado Revised Statutes, Section 38-12-102 to 38-12-104).

**Separate Account required for Security Deposit:** No. (Colorado Revised Statutes, Section 38-12-102 to 38-12-104).

**Exemption from Security Deposit Laws:** None. (Colorado Revised Statutes, Section 38-12-102 to 38-12-104).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Colorado Revised Statutes, Section 12-55-208).

**Claim of Lien:** A Notice of Intent to File a Lien Statement must be served on owner 10 days prior to filing. For prime contractors a Lien Statement must be filed within 4 months of the last day on which materials or labor were provided or within 2 months of work which furnished no materials or labor (meetings). Same time limit applies for subcontractors and materials suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Colorado Revised Statutes, Section 38-22-101+).

**Other Recording Requirements:** Disclosure Statement. (1) Every contract for the purchase and sale of residential real property shall contain a disclosure statement in bold-faced type which is clearly legible and in substantially the following form: "Special taxing district may be subject to general obligation indebtedness that is paid by revenues produced from annual tax levies and excessive tax burdens to support the servicing of such debt where circumstances arise resulting in the inability of such a district to discharge such indebtedness without such an increase in mill levies. Purchasers should investigate the debt financing requirements of the authorized general obligation indebtedness of such districts, existing mill levies of such district servicing such indebtedness, and the potential for an increase in such mill levies." (Colorado revised statutes, section 38-35.7-101).

On and after January 1, 2007, every contract for the purchase and sale of residential real property in a common interest community shall contain a disclosure statement in bold-faced type that is clearly legible and in substantially the following form: "the property is located within a common interest community

and is subject to the declaration for such community. The owner of the property will be required to be a member of the owner's association for the community and will be subject to the bylaws and rules and regulations of the association. The declaration, bylaws, and rules and regulations will impose financial obligations upon the owner of the property, including an obligation to pay assessments of the association. If the owner does not pay these assessments, the association could place a lien on the property and possibly sell it to pay the debt. The declaration, bylaws, and rules and regulations of the community may prohibit the owner from making changes to the property without an architectural review by the association (or a committee of the association) and the approval of the association. Purchasers of property within the common interest community should investigate the financial obligations of members of the association. Purchasers should carefully read the declaration for the community and the bylaws and rules and regulations of the association." (Colorado Revised Statutes, Section 38-35.7-102). (2) Every contract for the purchase and sale of residential property shall contain a disclosure statement which shall include: "The source of potable water for this real estate is: ☐ a well; ☐ a water provider, which can be contacted as follows: name: address: web site: telephone: ☐ neither a well nor a water provider. The source is [describe]: some water providers rely, to varying degrees, on nonrenewable ground water. You may wish to contact your provider to determine the long-term sufficiency of the provider's water supplies." (Colorado Revised Statutes, Section 38-35.7-104).

# Connecticut

**State Landlord-Tenant Statutes:** Connecticut General Statutes, Sections 47a-1 to 47a-51.

**State Property Laws Statutes:** Connecticut General Statutes (see Volume 12, Section 47 and 47a).

**State Law Website:** <http://www.ct.gov>

**State Real Estate Disclosure Laws:** Residential Property Condition Disclosure Report. (Connecticut General Statutes, Sections 20-327b). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. Reasonable notice for inspection, repairs, viewing of property and if tenant is absent for long periods. (Connecticut General Statutes, Section 47a-16 to 47a-16a).

**Security Deposit Amount Limits:** 2 month's rent. 1 month's rent if renter is over the age of 62. (Connecticut General Statutes, Section 47a-21).

**Deadlines for Security Deposit Returns:** 30 days or within 15 days of receiving the renter's forwarding address. (Connecticut General Statutes, Section 47a-21).

**Interest Required on Security Deposit:** Yes. (Connecticut General Statutes, Section 47a-21).

**Separate Account required for Security Deposit:** Yes. (Connecticut General Statutes, Section 47a-21).

**Exemption from Security Deposit Laws:** None. (Connecticut General Statutes, Section 47a-21).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** 9 days after rent is due. (Connecticut General Statutes, Section 47a-15a).

**Required Landlord Disclosures:** Landlord must provide written notice if property is a 'common-interest community'. Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Connecticut General Statutes, Sections 47a-3e and 47a-6).

**When and Where Rent is Due:** Details of when and where rent is due. (Connecticut General Statutes, Section 47a-3a); state law also provides for rental grace periods (Connecticut General Statutes, Section 47a-15a).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Connecticut General Statutes, Section 1-62).

**Claim of Lien:** Preliminary notice of an affidavit must be filed within 15 days of commencing work pursuant to Connecticut General Statutes, Section 49-35. For prime contractors lien must be recorded within 90 days of completion of work, and within 30 days of recording a copy must be served on all property owners. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Connecticut General Statutes, Section 49-33+).

**Other Recording Requirements:** Two witnesses required for conveyances of land. Acknowledgement required. (Connecticut General Statutes, Section 47-5).

# Delaware

**State Landlord-Tenant Statutes:** Delaware Code, Title 25, Sections 5101-7013.

**State Property Laws Statutes:** Delaware Code, Title 25.

**State Law Website:** <http://www.delaware.gov/>

**State Real Estate Disclosure Laws:** Seller's Disclosure of Real Property Condition Report. (Delaware Code, Title 6, Chapter 25, Subtitle VII, Buyer Property Protection Act. Sections, 2571-2578).(This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 days notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Delaware Code, Title 25, Sections, 5509 & 5510).

**Security Deposit Amount Limits:** 1 month's rent for rental agreements for one year or more. No limit on month-to-month rental agreements. Pet deposit can be up to an additional month's rent. (Delaware Code, Title 25, Section 5514).

**Deadlines for Security Deposit Returns:** 20 days. (Delaware Code, Title 25, Section 5514).

**Interest Required on Security Deposit:** No. (Delaware Code, Title 25, Section 5514).

**Separate Account required for Security Deposit:** Yes. (Delaware Code, Title 25, Section 5514).

**Exemption from Security Deposit Laws:** None. (Delaware Code, Title 25, Section 5514).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 60 days to terminate or change rent. Renter had 45 days to terminate tenancy after changes. (Delaware Code, Title 25, Sections 5106 & 5107).

**Rent Late Fees:** Cannot exceed 5% of rent after rent is more than 5 days late. (Delaware Code, Title 25, Section 5501(d)).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord must provide tenant with a copy of the Summary of Residential Landlord-Tenant Code (found at: [attorneygeneral.delaware.gov/consumers/protection/brochure/landlordcode.pdf](http://attorneygeneral.delaware.gov/consumers/protection/brochure/landlordcode.pdf)) (Delaware Code, Sections 5101 to 5718).

**When and Where Rent is Due:** Details of when and where rent is due. (Delaware Code, Title 25, Section 5501(b)); state law also provides for rental grace periods (Delaware Code, Title 25, section 5501(d)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Delaware Code, Title 29, Section 4328).

**Claim of Lien:** Prime Contractor must provide list of everyone who has provided materials or labor within 10 days of request, and owner is not required to pay/no liens may be filed until list is furnished. A statement of Claim must be filed within 180 days of completion of the structure. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Delaware Code, Title 25, Section 2701+).

**Other Recording Requirements:** Acknowledgement required. (Delaware Code, Title 25, Section 154). The recorders are authorized to set format and size of document. (Delaware Code, Title 9, Section 9605). Affidavit of residence and gain (Delaware Code, Title 9, Section 9605). Recorder shall not accept for recording any deed until the recorder has received payment of all state and municipal realty transfer tax due on the transfer. (Delaware Code, Title 9, Section 9605).

# District of Columbia (Washington D.C.)

**State Landlord-Tenant Statutes:** District of Columbia Code Annotated, Section 42-3201 to 42-4097.

**State Property Laws Statutes:** District of Columbia Code Annotated, Personal Property, Title 41 and Real Property, Title 42.

**State Law Website:** <http://dccouncil.washington.dc.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD. (District of Columbia Code Annotated, Section 42-1301 and 42-1305).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 1 month's rent. (District of Columbia Code Annotated, Section 42-3502-17 and District of Columbia Municipal Regulations, Title 14, Sections, 308 to 311).

**Deadlines for Security Deposit Returns:** 45 days. (District of Columbia Code Annotated, Section 42-3502-17 and District of Columbia Municipal Regulations, Title 14, Sections, 308 to 311).

**Interest Required on Security Deposit:** Yes. (District of Columbia Code Annotated, Section 42-3502-17 and District of Columbia Municipal Regulations, Title 14, Sections, 308 to 311).

**Separate Account required for Security Deposit:** Yes (District of Columbia Code Annotated, Section 42.3502.17 and District of Columbia Municipal Regulations, Title 14, Sections, 308 to 311).

**Exemption from Security Deposit Laws:** None. (District of Columbia Code Annotated, Section 42-3502-17 and District of Columbia Municipal Regulations, Title 14, Sections, 308 to 311).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (District of Columbia Code Annotated, Section 42-3202).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must provide the tenant with a copy of the DC Landlord and Tenant Law, Landlord and Tenant Civil Enforcement Policy; and Landlord and Tenant Notification of Tenant's Concerning Violations (14 D.C. Municipal Regulations, Section 300).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (District of Columbia Code Annotated, Section 42-148).

**Claim of Lien:** No preliminary notice necessary. For prime contractors a Notice of lien must be filed and served during construction or within 90 days of completion or termination of the project. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (District of Columbia Code Annotated, Section 40-301-01).

**Other Recording Requirements:** Must be acknowledged, under seal. (District of Columbia Code Annotated, Section 42-401). Nothing will be recorded if taxes are owing under Chapter 11 of Title 42. (District of Columbia Code Annotated, Section 42-407). The Recorder of Deeds shall not accept for recordation any instrument unless the instrument is executed and acknowledged by the person granting his/her right, title, or interest in the land or any instrument for property against which a lien for delinquent water, sanitary, sewer, or meter service charges has been assessed. (District of Columbia Code Annotated, Section 42-407 and Section 34-2407.02). All documents by which legal title to real property, or an estate for life or a lease for a term of at least 30 years is transferred must be recorded with the Recorder of Deeds within 30 days of execution. (District of Columbia Code Annotated, Section 47-1431(a). Failure to record within the 30 day period will result in a \$250 penalty. (District of Columbia Code Annotated, Section 47-1433(c)).

# Florida

**State Landlord-Tenant Statutes:** Florida Statutes, Sections 83.40-83.682.

**State Property Laws Statutes:** Florida Statutes, Title XL., Chapters 689-723.

**State Law Website:** <http://www.leg.state.fl.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD. Also a Property Tax Disclosure Summary must be included with any Contract for the sale of residential property. Please see Florida Statutes, Section 689.261 for language that must be used.

**Landlord's Entry to Real Estate:** Immediate access for emergency. 12 hour notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Florida Statutes, Section 83.53).

**Security Deposit Amount Limits:** No limit in statute. (Florida Statutes, Section 83.53).

**Deadlines for Security Deposit Returns:** 15 to 60 days. This depends on if renter argues deductions. (Florida Statutes, Section 83.49).

**Interest Required on Security Deposit:** Are not required. (Florida Statutes, Section 83.49).

**Separate Account required for Security Deposit:** Yes. (Florida Statutes, Section 83.49).

**Exemption from Security Deposit Laws:** None. (Florida Statutes, Section 83.49).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 15 days to terminate or change rent. (Florida Statutes, Section 83.57).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. If property is over 3 stories, landlord must provide information about fire protection. (Florida Statutes, Section 83.50).

**When and Where Rent is Due:** Details of when rent is due. (Florida Statutes, Section 83.46(1)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Florida Statutes, Section 117.05).

**Claim of Lien:** No preliminary notice necessary. For prime contractors A Claim of Lien must be filed within 90 days of the last work performed and must be served on owner within 15 days of filing. Prime contractor must also execute and deliver a final affidavit to owner 5 days prior to instituting lien foreclosure. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. In addition to standard Claim of Lien form, the following language is necessary: "Warning! This legal document reflects that a construction lien has been placed on the real property listed herein. Unless the owner of such property takes action to shorten the time period, this lien may remain valid for one year from the date of recording, and shall expire and become null and void thereafter unless legal proceedings have been commenced to foreclose or to discharge this lien." (Florida Statutes, Section 713.08).

**Other Recording Requirements:** Clerks of the Circuit Court will not accept for recordation instruments unless there is a 3" x 3" blank space at the top right-hand corner of the first page and a 1" x 3" blank space at the top right-hand corner of each subsequent page. (Florida Statutes, Section 695.26(1)(e)).

# Georgia

**State Landlord-Tenant Statutes:** Georgia Code, Sections 44-7-1 to 44-7-81.

**State Property Laws Statutes:** Georgia Code, Title 44.

**State Law Website:** <http://www.legis.state.ga.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Georgia Code, Sections 44-7-30 to 44-7-37).

**Deadlines for Security Deposit Returns:** 1 month. (Georgia Code, Sections 44-7-30 to 44-7-37).

**Interest Required on Security Deposit:** No. (Georgia Code, Sections 44-7-30 to 44-7-37).

**Separate Account required for Security Deposit:** Yes. (Georgia Code, Sections 44-7-30 to 44-7-37).

**Exemption from Security Deposit Laws:** Exemption for landlord who owns 10 or less rental units. Exemption does not apply if rental units are managed by an outside agency. (Georgia Code, Sections 44-7-30 to 44-7-37).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days for tenant to terminate or change rent. 60 days for landlord to terminate or change rent. (Georgia Code, Sections 44-7-7).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Prior to collecting any security deposit, landlord must provide tenant a list of pre-existing conditions. Landlord must also disclose if property has flooded more than 3 times in the last 5 years. (Georgia Code, Section 44-7-20).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Georgia Code, Sections 45-17-1+).

**Claim of Lien:** No preliminary notice necessary. For prime contractors a claim must be recorded within 3 months of last furnished materials or labor. At recording the prime contractor must send a copy of the claim by registered or certified mail or statutory overnight delivery to the owner. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. In addition to standard Claim of Lien form, the following language is necessary: This claim of lien expires and is void 395 days from the date of filing of the claim of lien if no notice of commencement of lien action is filed in that time period. (Georgia Code, Sections 44-14-367). When explaining when the claim became due, the phrase which is the last date the labor, services or materials were supplied to the premises must be used. (Georgia Code, Sections 44-14-361.1). Further, there must be notice in the claim to the owner that he has the right to contest the lien. Georgia Code, Sections 44-14-368).

**Other Recording Requirements:** Document must contain two witnesses, one of who must be a notary with his seal affixed, or if one of the two witnesses is not a notary, then there must be an acknowledgment by a notary attached to the deed. (Georgia Code, Section 44-2-21 and Section 44-2-14). In order to record a warranty deed or quitclaim deed a real estate transfer tax form must be presented to the clerk at the time of filing with the deed. (Georgia Code, Section 48-6-4).



# Hawaii

**State Landlord-Tenant Statutes:** Hawaii Revised Statutes, Sections 521-1 to 521-78.

**State Property Laws Statutes:** Hawaii Revised Statutes, Volume 12, Chapter 0501 to 0588.

**State Law Website:**

<http://www.capitol.hawaii.gov>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD. (Hawaii Revised Statutes 508D-4(2)).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 day notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Hawaii Revised Statutes, Sections 521-53 to 521-70(b)).

**Security Deposit Amount Limits:** 1 month's rent. Landlord may not require any other fees from tenant, other than first month's rent.. (Hawaii Revised Statutes, Section 521-43 and 521-44).

**Deadlines for Security Deposit Returns:** 14 days. (Hawaii Revised Statutes, Section 521-44).

**Interest Required on Security Deposit:** No. (Hawaii Revised Statutes, Section 521-44).

**Separate Account required for Security Deposit:** No. (Hawaii Revised Statutes, Section 521-44).

**Exemption from Security Deposit Laws:** None. (Hawaii Revised Statutes, Section 521-44).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 28 days for tenant to terminate or change rent. 45 days for landlord to terminate or change rent. (Hawaii Revised Statutes, Section 521-71, 521-21(d)).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property; if manager is off-island, must provide name and address of on-island agent. Move-in/move-out checklist is required. Landlord must provide tenant with tax excise number so tenant can claim low-income tax credit. (Hawaii Revised Statutes, Sections 521-42 and 521-43).

**When and Where Rent is Due:** Details of when and where rent is due. (Hawaii Revised Statutes, Section 521-21(b)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Hawaii Revised Statutes, Section 502-41).

**Claim of Lien:** No preliminary notice necessary. For prime contractors the Application for a Lien and Notice of a Lien must be filed within 45 days of completion of improvements, and must be served on the owner and anyone who has an interest in the property, and on parties who contracted for the improvement. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Hawaii Revised Statutes, Section 507-42+).

**Other Recording Requirements:** Acknowledgment required, interlineations, erasures and changes must be initialed by the notary. The marital status of all parties must be stated, the full name of the spouse must be stated if a party is married and the instrument must contain a reference to the current Transfer Certificate of Title affected by the instrument. (Hawaii Revised Statutes, Section 502-31 and Section 501-108).

# Idaho

**State Landlord-Tenant Statutes:** Idaho Code, Sections 55-201 to 55-313 and 6-301 to 6-324.

**State Property Laws Statutes:** Idaho Code, Title 55.

**State Law Website:** <http://www.state.id.us/> **State Real Estate Disclosure Laws:** Seller Property Disclosure Form. (Idaho Code, Section 55-2501). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Idaho Code, Section 6-321).

**Deadlines for Security Deposit Returns:** 21 days. Up to 30 days if both parties agree. (Idaho Code, Section 6-321).

**Interest Required on Security Deposit:** No. (Idaho Code, Section 6-321).

**Separate Account required for Security Deposit:** No. (Idaho Code, Section 6-321).

**Exemption from Security Deposit Laws:** None. (Idaho Code, Section 6-321).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month notice for tenant to terminate or change rent. 1 month notice for landlord to terminate rent. Landlord must provide 15 day's notice to increase rent or change tenancy. (Idaho Code, Sections 55-208 and 55-307).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Idaho Code, Section 51-109).

**Claim of Lien:** No preliminary notice necessary. For primary contractors Claim of lien must be recorded within 90 days of completion or cessation of labor, and a true and correct copy of the lien must be served on the owner within 5 business days. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Idaho Code, Section 45-501+).

**Other Recording Requirements:** None.

# Illinois

**State Landlord-Tenant Statutes:** Illinois Compiled Statutes, Chapter. 765, Sections 705/0.01 to 740/5.

**State Property Laws Statutes:** Illinois Compiled Statutes, Chapter 765.

**State Law Website:** <http://www.illinois.gov/government/>

**State Real Estate Disclosure Laws:** Residential Real Property Disclosure Report. (Illinois Compiled Statutes, Chapter. 765 ILCS 77). (This form provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Illinois Compiled Statutes, Chapter. 765, Sections 710/0.01 to 715/3).

**Deadlines for Security Deposit Returns:** 30 days. Up to 45 days if renter argues deductions. (Illinois Compiled Statutes, Chapter. 765, Sections 710/0.01 to 715/3).

**Interest Required on Security Deposit:** Required for landlords with more than 25 rental units. (Illinois Compiled Statutes, Chapter. 765, Sections 710/0.01 to 715/3).

**Separate Account required for Security Deposit:** No. (Illinois Compiled Statutes, Chapter. 765, Sections 710/0.01 to 715/3).

**Exemption from Security Deposit Laws:** Landlords with 4 or less rental units are exempt. (Illinois Compiled Statutes, Chapter. 765, Sections 710/0.01 to 715/3).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Illinois Compiled Statutes, Chapter. 735, Section 5/9-207).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** If landlord pays a master metered utility, tenant must be provided with written information regarding the formula used to allocate tenant amounts. Any rent concessions must be noted in lease, with letters not less than 1/2" high stating "Concession Granted. (Illinois Compiled Statutes, Chapter. 765, Section 730/0 to 730-6, and 740/5).

**When and Where Rent is Due:** Details of when rent is due. (Illinois Compiled Statutes, Chapter 765, Section 705/3).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Illinois Compiled Statutes, Chapter. 5, Section 312/6-105).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a verified claim must be recorded within 4 months of completion of work to prevail over owner and third parties, and within two years to prevail over the original owner. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Illinois Compiled Statutes, Chapter. 770, Section 60/0.01+).

**Other Recording Requirements:** Proper notary/acknowledgement and property index number (PIN) required. (Illinois Compiled Statutes, Chapter 765, Section 5).

# Indiana

**State Landlord-Tenant Statutes:** Indiana Code, Sections 32-31-1-1 to 32-31-8-6.

**State Property Laws Statutes:** Indiana Code, Title 32.

**State Law Website:** <http://www.state.in.us/>**State Real Estate Disclosure Laws:** Seller's Residential Real Estate Sales Disclosure. (Indiana Code, Section 32-21-5). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Landlord may enter (a) in cases of emergency (b) under court order, or (c) if tenant has abandoned the dwelling. (Indiana Code, Sections 32-31-5-6(f)).

**Security Deposit Amount Limits:** No limits in statute. (Indiana Code, Sections 32-31-3-9 to 32-31-3-19).

**Deadlines for Security Deposit Returns:** 45 days. (Indiana Code, Sections 32-31-3-9 to 32-31-3-19).

**Interest Required on Security Deposit:** No. (Indiana Code, Sections 32-31-3-9 to 32-31-3-19).

**Separate Account required for Security Deposit:** No. (Indiana Code, Sections 32-31-3-9 to 32-31-3-19).

**Exemption from Security Deposit Laws:** None. (Indiana Code, Sections 32-31-3-9 to 32-31-3-19).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. (Indiana Code, Sections 32-31-1-1).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address of an Indiana resident manager of the property and the name and address for the purpose of receiving notices. (Indiana Code, Section 32-31-3-18).

**When and Where Rent is Due:** Details of when rent is due. (No statute. Found in Indiana case law.)

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Indiana Code, Sections 33-42-1+).

**Claim of Lien:** No preliminary notice necessary unless an owner occupied dwelling. For primary contractors a Notice of Intent must be filed within 90 days of last performed labor, and the lien must be mailed within 3 days of filing. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Indiana Code, Sections 32-28-3-1+).

**Other Recording Requirements:** Permanently bound documents and continuous form paper is forbidden. (Indiana Code, Section 36-2-11-16.5). A standard Sales Disclosure form must be filed with the Auditor's office at a filing fee of \$10.00 when a conveyance document is filed with the Auditor's office. (Indiana Code, Section 6-1.1-5.5).

# Iowa

**State Landlord-Tenant Statutes:** Iowa Code Annotated, Sections 562A.1-.36.

**State Property Laws Statutes:** Iowa Code, Title XIV.

**State Law Website:** [www.legis.iowa.gov/](http://www.legis.iowa.gov/) **State Real Estate Disclosure Laws:** Residential Property Seller Disclosure Statement. (Iowa Code Annotated, Section 558.46). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs, viewing of property and if tenant is absent for long periods. (Iowa Code Annotated, Sections 562A.19, 562A.28 and 562A.29).

**Security Deposit Amount Limits:**

2 month's rent. (Iowa Code Annotated, Section 562A.12).

**Deadlines for Security Deposit Returns:** 30 days. (Iowa Code Annotated, Section 562A.12).

**Interest Required on Security Deposit:** Interest payments are not required. (Iowa Code Annotated, Section 562A.12).

**Separate Account required for Security Deposit:** Yes. (Iowa Code Annotated, Section 562A.12).

**Exemption from Security Deposit Laws:** None. (Iowa Code Annotated, Section 562A.12).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Iowa Code Annotated, Sections 562A.34 and 562A.13(5)).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. If utilities are shared, landlord must disclose how utilities are allocated. Landlord must disclose if property is listed in any federal environmental contamination register system. (Iowa Code, Section 562A.13).

**When and Where Rent is Due:** Details of when and where rent is due. (Iowa Code Annotated, Section 562A.9(3)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Iowa Code Annotated, Section 1-4-9E.15).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a verified statement must be filed within 90 days of the last date labor was performed. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Iowa Code Annotated, Section 572.1+).

**Other Recording Requirements:** None.

# Kansas

**State Landlord-Tenant Statutes:** Kansas Statutes, Sections 58-2501 to 58-2573.

**State Property Laws Statutes:** Kansas Statutes, Chapters 58 and 67.

**State Law Website:**

<http://www.kansas.gov>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. "Reasonable" notice for inspection, repairs, viewing of property and if tenant is absent for long periods. (Kansas Statutes, Sections 58-2557 and 58-2565).

**Security Deposit Amount Limits:** 1 month's rent unfurnished. 1 ½ month's rent furnished. Additional ½ month's rent for pet deposit. (Kansas Statutes, Section 58-2550).

**Deadlines for Security Deposit Returns:** 30 days. (Kansas Statutes, Section 58-2550).

**Interest Required on Security Deposit:** No. (Kansas Statutes, Section 58-2550).

**Separate Account required for Security Deposit:** No. (Kansas Statutes, Section 58-2550).

**Exemption from Security Deposit Laws:** None. (Kansas Statutes, Section 58-2550).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate rent. No amount of notice in statute for changing rent. (Kansas Statutes, Section 58-2550).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. Within 5 days of move-in, landlord and tenant must complete an inventory of the property. (Kansas Statutes, Section 58-2548).

**When and Where Rent is Due:** Details of when and where rent is due. (Kansas Statutes, Section 58-2545(c)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Kansas Statutes, Section 53-509).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a verified lien statement must be filed within 4 months of last labor or last materials furnished. This can be extended to 5 months by filing an extension within the original 4 month window. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. However, must include a detailed itemized statement. (Kansas Statutes, Section 60-1101+).

**Other Recording Requirements:** None.

# Kentucky

**State Landlord-Tenant Statutes:** Kentucky Revised Statutes, Sections 383.010 to 383.715.

**State Property Laws Statutes:** Kentucky Revised Statutes, Title XXXII.

**State Law Website:** <http://www.lrc.state.ky.us/>

**State Real Estate Disclosure Laws:** Seller's Disclosure of Property Conditions. (Kentucky Revised Statutes, Section 324.360). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 day notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Kentucky Revised Statutes, Section 383.615).

**Security Deposit Amount Limits:** No limit in statute.

**Deadlines for Security Deposit Returns:** 30 days. Up to 60 days if renter argues deductions. (Kentucky Revised Statutes, Section 383.580).

**Interest Required on Security Deposit:** No. (Kentucky Revised Statutes, Section 383.580).

**Separate Account required for Security Deposit:** Yes. (Kentucky Revised Statutes, Section 383.580).

**Exemption from Security Deposit Laws:** None. (Kentucky Revised Statutes, Section 383.580).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Kentucky Revised Statutes, Section 383.695).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. Landlord and tenant must complete an inventory of the property before landlord can collect any security deposit. (Kentucky Revised Statutes, Sections 383.580 and 383.585).

**When and Where Rent is Due:** Details of when and where rent is due. (Kentucky Revised Statutes, Section 383.565(2)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Kentucky Revised Statutes, Section 423.160).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a statement of lien must be filed within 6 months of last labor or furnished materials, and notice to owner must be given within 7 days of filing. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Kentucky Revised Statutes, Section 376.010+).

**Other Recording Requirements:** Grantor's signature must be notarized, consideration must be given, grantor's source of title must be described, consideration certificate must be completed, deed must be subscribed, and must contain preparer's certification. (Kentucky Revised States, Sections 382.110)



# Louisiana

**State Landlord-Tenant Statutes:** Louisiana Revised Statutes Annotated, Sections 9:3201 to 9:3259 and Louisiana Civil Code Annotated Article 2669 to 2729.

**State Property Laws Statutes:** Louisiana Revised Statutes Annotated, Title 9, Civil Code Ancillaries, Louisiana Civil Code, Louisiana Code of Civil procedure.

**State Law Website:** [www.legis.state.la.us/](http://www.legis.state.la.us/)

**State Real Estate Disclosure Laws:** Property Disclosure Document for Residential Real Estate, Addendum to Residential Property Disclosure, (Louisiana Revised Statutes Annotated, Title 9, Civil Code Ancillaries, Section 9:3198). (These forms are provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Louisiana Revised Statutes Annotated, Sections 9:3251 to 9:3254).

**Deadlines for Security Deposit Returns:** 1 month. (Louisiana Revised Statutes Annotated, Sections 9:3251 to 9:3254).

**Interest Required on Security Deposit:** No. (Louisiana Revised Statutes Annotated, Sections 9:3251 to 9:3254).

**Separate Account required for Security Deposit:** No. (Louisiana Revised Statutes Annotated, Sections 9:3251 to 9:3254).

**Exemption from Security Deposit Laws:** None. (Louisiana Revised Statutes Annotated, Sections 9:3251 to 9:3254).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 10 days to terminate or change rent. (Louisiana Civil Code Annotated, Article 2728).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** Details of when and where rent is due. (Louisiana Civil Code, Article 2703(1)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable, but must also include notary identification or attorney bar roll number and the typed, printed, or stamped name of the notary and the witnesses. (Louisiana Revised Statutes Annotated, Sections 35-12).

**Claim of Lien:** Preliminary notice is necessary if the contract is valued at more than \$25,000, and has been signed by the owner and contractor. For primary contractors who have given preliminary notice for a contract valued over \$25,000, a claim must be filed within 60 days. If no notice is filed and the contract is for under \$25,000 primary contractor has 60 days from 1) the filing of notice of termination or 2) substantial completion or abandonment of work. If the contract is for over \$25,000 and no notice of contract was filed there is no available claim for primary contractors. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Louisiana Revised Statutes Annotated, Sections 9:4801+).

**Other Recording Requirements:** Any waiver of warranty must be specifically and expressly included in the document. (Louisiana Civil Code Annotated, Article 2699). The marital status including name of present spouse must be included. (Louisiana Civil Code Annotated, Article 3352).

# Maine

**State Landlord-Tenant Statutes:** Maine Revised Statutes, Title 14, Sections 6021 to 6046.

**State Property Laws Statutes:** Maine Revised Statutes Title 33.

**State Law Website:** [janus.state.me.us/legis/](http://janus.state.me.us/legis/)

**State Real Estate Disclosure Laws:** Property Disclosure Statement. (Maine Revised Statutes, Section 33-7-1A-171) (This form is provided on the Forms-on-CD)..

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Maine Revised Statutes, Title 14, Section 6025).

**Security Deposit Amount Limits:** 2 month's rent. (Maine Revised Statutes, Title 14, Sections 6031 to 6038).

**Deadlines for Security Deposit Returns:** 30 days if rental agreement is in writing. 21 days if agreement is verbal. (Maine Revised Statutes, Title 14, Sections 6031 to 6038).

**Interest Required on Security Deposit:** No. (Maine Revised Statutes, Title 14, Sections 6031 to 6038).

**Separate Account required for Security Deposit:** Yes. (Maine Revised Statutes, Title 14, Sections 6031 to 6038).

**Exemption from Security Deposit Laws:** Exemption if rental structure has 5 or less rental units and the landlord is also living in one of the rental units. (Maine Revised Statutes, Title 14, Sections 6031 to 6038).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate rent. Landlord must provide 45 day's notice to increase rent. (Maine Revised Statutes, Title 14, Sections 6002 and 6015).

**Rent Late Fees:** Late fees cannot exceed 4% of the amount due for 30 days. Landlord must notify in writing any late fee at the start of tenancy and cannot impose it until rent is 15 days late. (Maine Revised Statutes, Title 14, Section 6028).

**Required Landlord Disclosures:** If property is a multi-unit with common area utilities, must be written agreement regarding tenant share of common utilities. Landlord must provide tenant with a residential energy efficiency disclosure statement and landlord and tenant must sign this disclosure. Effective in 2012 landlords are required to test for radon every 10 years. (Maine Revised Statutes, Title 14, Section 6030(c) and 6030(d)) .

**When and Where Rent is Due:** None. However, there are grace periods for rent payments. (Maine Revised Statutes, Title 14, Section 6028).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Maine Revised Statutes, Title 4, Section 1016).

**Claim of Lien:** No preliminary notice necessary. The action must be commenced within 120 days of completion of labor or services and materials furnished. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Maine Revised Statutes, Title 10, Section 3251+).

**Other Recording Requirements:** None.

# Maryland

**State Landlord-Tenant Statutes:** Maryland Code, Real Property, Sections 8-101 to 8-604.

**State Property Laws Statutes:** Maryland Code, Real Property.

**State Law Website:** <http://www.maryland.gov/>

**State Real Estate Disclosure Laws:** Residential Property Disclosure and Disclaimer Statement. (Maryland Code, Real Property, Section 10-702). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 2 month's rent. (Maryland Code, Real Property, Sections 8-203 to 8-203.1).

**Deadlines for Security Deposit Returns:** 30 days. Up to 45 days if renter was evicted or abandoned the rental unit. (Maryland Code, Real Property, Sections 8-203 to 8-203.1).

**Interest Required on Security Deposit:** Yes. (Maryland Code, Real Property, Sections 8-203 to 8-203.1).

**Separate Account required for Security Deposit:** Yes. (Maryland Code, Real Property, Sections 8-203 to 8-203.1).

**Exemption from Security Deposit Laws:** None. (Maryland Code, Real Property, Sections 8-203 to 8-203.1).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. 2 month's notice in Montgomery County. Does not apply to Baltimore. (Maryland Code, Real Property, Sections 8-402(b)(3) and 8-402(b)(4)).

**Rent Late Fees:** Late fees cannot exceed 5% of the rent due. (Maryland Code, Real Property, Sections 8-208(d)(3)).

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. Landlord and tenant must complete an inventory of the property before landlord can collect any security deposit. Lease must contain statement that the premises are habitable, if that is the reason for rental, and a statement regarding tenant's responsibilities for utilities and repairs. (Maryland Code, Real Property, Sections 8-203.1, 8-208, and 8-210).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Maryland Code, State Government,, Section 19-107).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a Petition to Establish a Mechanics lien must be filed within 180 days of completion of work or last materials furnished. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Maryland Code, Real Property, Sections 9-101+).

**Other Recording Requirements:** All real estate taxes and assessments must be paid prior to recordation. (Maryland Code, Real Property, Section 3-104(b)). All deeds must recite the amount of consideration payable. (Maryland Code, Real Property, Section 3-104(g)). Must include a Certification of Preparation indicating that the instrument has been prepared by an attorney or under an attorney's supervision, or a certificate that the instrument was prepared by one of the parties named in the instrument. (Maryland Code, Real Property, Section 3-104(f)). There are also local requirements as to certain counties in Maryland.

# Massachusetts

**State Landlord-Tenant Statutes:** Massachusetts General Laws, Chapter 186, Section 1-21.

**State Property Laws Statutes:** Massachusetts General Laws, Part I, Real And Personal Property And Domestic Relations, Chapters 183-189.

**State Law Website:** <http://www.malegislature.gov/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergencies; may enter for inspections for damages during last 30 days of lease; may enter if property appears abandoned. Lease may provide landlord access for repairs, reasonable inspections, and to show the premises to a prospective tenant or buyer. (Massachusetts General Laws, Chapter 186, Section 15B(1)(a)).

**Security Deposit Amount Limits:** 1 month's rent. (Massachusetts General Laws, Chapter 186, Section 15B).

**Deadlines for Security Deposit Returns:** 30 days. (Massachusetts General Laws, Chapter 186, Section 15B).

**Interest Required on Security Deposit:** Yes. (Massachusetts General Laws, Chapter 186, Section 15B).

**Separate Account required for Security Deposit:** Yes. (Massachusetts General Laws, Chapter 186, Section 15B).

**Exemption from Security Deposit Laws:** None. (Massachusetts General Laws, Chapter 186, Section 15B).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** Length of tenancy period or 30 days (whichever is longer). (Massachusetts General Laws, Chapter 186, Section 12).

**Rent Late Fees:** Late fees, including interest on late rent, cannot be imposed until the rent is 30 days late. (Massachusetts General Laws, Chapter 186, Section 15B(1)(c)).

**Required Landlord Disclosures:** Upon tenant's request, landlord must provide name and coverages for any insurance policies in force for loss or damage by fire. . (Massachusetts General Laws, Chapter 186, Section 15-B(2)(c) and 21).

**When and Where Rent is Due:** None. However, there are provisions for rental payment grace periods. (Massachusetts General Laws, Chapter 186, Section 15-B(1)(c)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Revised Executive Order No. 455 (04-04)).

**Claim of Lien:** Preliminary notice is necessary and a Notice of contract must be recorded no later than the earliest of: 60 days after filing of a notice of substantial completion, or 90 days after notice of termination, or 90 days after last labor or materials were provided. For primary contractors a Statement of account must also be filed no later than the earliest of: 90 days after filing of notice of substantial completion, or 120 days after the filing of notice of termination, or 120 days after last labor or materials were provided. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Massachusetts General Laws, Chapter 254, Section 1+).

**Other Recording Requirements:** All deeds must be acknowledged and witnessed. Notaries taken outside the Commonwealth of Massachusetts must be seal and notaries taken outside of the country must be accompanied by a Certificate of Authority. (Massachusetts General Laws, Chapter 183, Section

29). Full consideration must be paid with state excise of documentary stamps affixed. (Massachusetts General Laws, Chapter 183, Section 6). Other instruments such as Affidavits, Powers of Attorney and Trustee's Certificates must all be executed and acknowledged. (Massachusetts General Laws, Chapter 183, Section 29-40).

# Michigan

**State Landlord-Tenant Statutes:** Michigan Compiled Laws, Section 554.601-.640.

**State Property Laws Statutes:** Michigan Compiled Laws, Chapters 554 to 570.

**State Law Website:**

[www.michiganlegislature.org](http://www.michiganlegislature.org)

**State Real Estate Disclosure Laws:** Seller's Disclosure Statement. (Michigan Compiled Laws, Section 565.957). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 1 ½ month's rent. (Michigan Compiled Laws, Sections 554.602 to 554.613).

**Deadlines for Security Deposit Returns:** 30 days. (Michigan Compiled Laws, Sections 554.602 to 554.613).

**Interest Required on Security Deposit:** No. (Michigan Compiled Laws, Sections 554.602 to 554.613).

**Separate Account required for Security Deposit:** Yes. (Michigan Compiled Laws, Sections 554.602 to 554.613).

**Exemption from Security Deposit Laws:** None. (Michigan Compiled Laws, Sections 554.602 to 554.613).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** Length of tenancy period. (Michigan Compiled Laws, Sections 554.134).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. Move-in/move-out checklists are required. Lease must state in at least 12 point type the following: "NOTICE: Michigan law establishes rights and obligations for parties to rental agreements. This rental agreement is required to comply with the Truth in Rental Act. If you have a question about the interpretation or legality of a provision of this agreement, you may want to seek the assistance of a lawyer or other qualified person." (Michigan Compiled Laws, Sections 554.608 and 554.634).

**When and Where Rent is Due:** Details of when rent is due. (No statute, but details in Michigan case law).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Michigan Compiled Laws, Sections 565.267).

**Claim of Lien:** Preliminary notice is necessary. For primary contractors a sworn statement listing its subcontractors and suppliers, the type of improvements made, all the unpaid laborers, and the amounts paid to everyone must be provided to owner upon demand or upon payment requested, or subsequent liens cannot be filed. For primary contractors a claim of lien must be filed within 90 days of last labor or materials provided and the claim of lien must be served on the owner's designee within 15 days of recording. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Michigan Compiled Laws, Sections 570.1101+).

**Other Recording Requirements:** Requirements include notarial certificate, two witnesses, name and business addresses of individual drafter/preparer, reference number, and marital status of all male grantors. (Michigan Compiled Laws, Section 565.8). Every deed must contain a recital of consideration given. (Michigan Compiled Laws, Section 565.151).

# Minnesota

**State Landlord-Tenant Statutes:** Minnesota Statutes Sections 504B.001 to 504B.471.

**State Property Laws Statutes:** Minnesota Statutes, Chapters 500-566.

**State Law Website:** <http://www.leg.state.mn.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. "Reasonable" notice for inspection, repairs and viewing of property. (Minnesota Statutes, Section 504B.211).

**Security Deposit Amount Limits:** No limit in statute. (Minnesota Statutes, Sections 504B.175 to 504B.178).

**Deadlines for Security Deposit Returns:** 3 weeks. 5 days if rental unit is condemned. (Minnesota Statutes, Sections 504B.175 to 504B.178).

**Interest Required on Security Deposit:** Yes. (Minnesota Statutes, Sections 504B.175 to 504B.178).

**Separate Account required for Security Deposit:** No. (Minnesota Statutes, Sections 504B.175 to 504B.178).

**Exemption from Security Deposit Laws:** None. (Minnesota Statutes, Sections 504B.175 to 504B.178).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** Length between time rent is due. (Minnesota Statutes, Section 504B.135).

**Rent Late Fees:** A landlord may not charge late fees unless previously stipulated in the lease, and the actual fee may not exceed 8% of the overdue rent payment. (Minnesota Statutes, Section 504B.177).

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. (Minnesota Statutes, Section 504B.151, 504B.181 and 504B.195).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Minnesota Statutes, Section 358.48).

**Claim of Lien:** Preliminary notice is necessary. Very complicated pre-lien notice required in the contract, but if there is no written contract it must be served on the owner within 10 days after the improvements if the work was done on a non-commercial building, or if done on a commercial building of 5000 square feet or less. For primary contractors the lien statement must be filed and served within 120 days of last provided labor or materials. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. (Minnesota Statutes, Section 514.011) Standard Claim of Lien form generally acceptable. (Minnesota Statutes, Section 514.01+).

**Other Recording Requirements:** Title of the document must be prominently displayed at the top of the first page and no additional sheet shall be attached or affixed to a page that covers up any information or printed part of the form. (Minnesota Statutes, Section 507.093). Must pay a transfer tax. (Minnesota Statutes, Sections 287.21-287.33).



# Mississippi

**State Landlord-Tenant Statutes:**

Mississippi Code, Sections 89-8-1 to 89-8-27.

**State Property Laws Statutes:** Mississippi Code, Title 89.

**State Law Website:** <http://www.mscode.com/>

**State Real Estate Disclosure Laws:** Seller's Disclosure Statement. (Mississippi Code, Section 89-1-509).  
(This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Mississippi Code, Section 89-8-21).

**Deadlines for Security Deposit Returns:** 45 days. (Mississippi Code, Section 89-8-21).

**Interest Required on Security Deposit:** No. (Mississippi Code, Section 89-8-21).

**Separate Account required for Security Deposit:** No. (Mississippi Code, Section 89-8-21).

**Exemption from Security Deposit Laws:** None. (Mississippi Code, Section 89-8-21).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Mississippi Code, Section 89-8-19).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Mississippi Code, Section 89-3-7).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a lawsuit to enforce the lien must be filed within 12 months of the date the debt became due. Liens are not effective until a notation is made in the Notice of Construction Liens book in the office of the chancery clerk. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Mississippi Code, Section 85-7-131+).

**Other Recording Requirements:** Must be properly acknowledged, must contain instructions as to how the instrument is to be indexed, and the name, address and telephone number of the person, firm, or entity preparing the document must be included. (Mississippi Code, Section 89-5-1).

# Missouri

**State Landlord-Tenant Statutes:** Missouri Revised Statutes, Sections 441.005 to 441.880 and 535.150 to 535.300.

**State Property Laws Statutes:** Missouri Revised Statutes, Title 29.

**State Law Website:** [www.mo.gov/](http://www.mo.gov/)

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 2 month's rent. (Missouri Revised Statutes, Section 535.300).

**Deadlines for Security Deposit Returns:** 30 days. (Missouri Revised Statutes, Section 535.300).

**Interest Required on Security Deposit:** No. (Missouri Revised Statutes, Section 535.300).

**Separate Account required for Security Deposit:** No. (Missouri Revised Statutes, Section 535.300).

**Exemption from Security Deposit Laws:** None. (Missouri Revised Statutes, Section 535.300).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. (Missouri Revised Statutes, Section 441.060).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** Details of when rent is due. (Missouri Revised Statutes, Section 535.060).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Missouri Revised Statutes, Section 486.330).

**Claim of Lien:** Preliminary notice is necessary. A disclosure notice with specific statutory language is required to be served on owner prior to first payment. For primary contractors a lien statement must be filed within 6 months after the debt has accrued. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Missouri Revised Statutes, Section 429.010+).

**Other Recording Requirements:** None.

# Montana

**State Landlord-Tenant Statutes:** Montana Code, Sections 70-24-101 to 70-25-206.

**State Property Laws Statutes:** Montana Code, Title 70.

**State Law Website:** <http://leg.mt.gov>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Montana Code, Section 70-24-312).

**Security Deposit Amount Limits:** No limit in statute. (Montana Code, Sections 70-25-101 to 70-25-206).

**Deadlines for Security Deposit Returns:** 30 days. 10 days if no deductions are made. (Montana Code Sections 70-25-101 to 70-25-206).

**Interest Required on Security Deposit:** No. (Montana Code Sections 70-25-101 to 70-25-206).

**Separate Account required for Security Deposit:** No. (Montana Code Sections 70-25-101 to 70-25-206).

**Exemption from Security Deposit Laws:** None. (Montana Code Sections 70-25-101 to 70-25-206).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Montana Code, Section 70-24-441).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord and tenant must complete an inventory of the property before landlord can collect any security deposit. No non-refundable fees, such as a cleaning fee, are permitted. (Montana Code, Section 70-24-301, 70-25-101(40) and 70-25-206)).

**When and Where Rent is Due:** Details of when and where rent is due. (Montana Code, Section 70-24-201(2)(b) and 70-24-201(2)(c)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Montana Code, Section 1-5-610).

**Claim of Lien:** Preliminary notice necessary. Notice of right to claim lien must be served on the owner no later than 20 days after first provision of service or materials and the same must be filed with the clerk and recorder for the county where the property is located within 5 business days of notice to the owner. A prime contractor must provide a property description and name and address of owner within 5 business days to subcontractors or material suppliers upon request. Also, the lien must be filed not later than 90 days after the last provision of services or materials and notice of the lien must be served on the owner of the property. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Montana Code, Section 71-3-521+).

**Other Recording Requirements:** Check the Montana Subdivision and Platting Act when attempting to transfer title to any parcel of land less than 160 acres in size which has not previously been transferred of record such that the current description cannot be referenced to a tract of record. (Montana Code, Section 76-3-101+).

# Nebraska

**State Landlord-Tenant Statutes:** Nebraska Statutes, Sections 76-1401 to 76-1449.

**State Property Laws Statutes:** Nebraska Statutes, Chapters 69 and 76.

**State Law Website:** <http://www.nebraskalegislature.gov/>

**State Real Estate Disclosure Laws:** Seller Property Condition Disclosure Statement. (Nebraska Statutes, Section 76-2,120). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 1 day notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Nebraska Statutes, Section 76-1423).

**Security Deposit Amount Limits:** 1 month's rent. (Nebraska Statutes, Section 76-1416).

**Deadlines for Security Deposit Returns:** 14 days. (Nebraska Statutes, Section 76-1416).

**Interest Required on Security Deposit:** No. (Nebraska Statutes, Section 76-1416).

**Separate Account required for Security Deposit:** No. (Nebraska Statutes, Section 76-1416).

**Exemption from Security Deposit Laws:** None. (Nebraska Statutes, Section 76-1416).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Nebraska Statutes, Section 76-1437).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Nebraska Statutes, Section 76-1417).

**When and Where Rent is Due:** Details of when and where rent is due. (Nebraska Statutes, Section 76-1414(3)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Nebraska Statutes, Section 64-206).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a lien must be recorded within 120 days of final services or materials rendered and a copy must be sent to the owner within 10 days of recording. The same time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Nebraska Statutes, Section 52-125+).

**Other Recording Requirements:** Tax statement required. (Nebraska Statutes, Section 76-214). Acknowledgment required. (Nebraska Statutes, Section 76-216).

# Nevada

**State Landlord-Tenant Statutes:** Nevada Revised Statute Annotated, Sections 118A.010 - 118A.520.

**State Property Laws Statutes:** Nevada Revised Statute Annotated, Title 10.

**State Law Website:** <http://www.leg.state.nv.us/>

**State Real Estate Disclosure Laws:** Seller's Real Property Disclosure Form. (Nevada Revised Statute Annotated, Section 113.060-113.080). (This form is provided on the Forms-on-CD). Energy Consumption Disclosure. (Nevada Revised Statute Annotated, Section 113.115).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs and viewing of property and if tenant is absent for long periods. (Nevada Revised Statute Annotated, Section 118A.330).

**Security Deposit Amount Limits:** 3 month's rent. (Nevada Revised Statute Annotated, Sections 118A.240 to 118A.250).

**Deadlines for Security Deposit Returns:** 30 days. (Nevada Revised Statute Annotated, Sections 118A.240 to 118A.250).

**Interest Required on Security Deposit:** No. (Nevada Revised Statute Annotated, Sections 118A.240 to 118A.250).

**Separate Account required for Security Deposit:** No. (Nevada Revised Statute Annotated, Sections 118A.240 to 118A.250).

**Exemption from Security Deposit Laws:** None. (Nevada Revised Statute Annotated, Sections 118A.240 to 118A.250).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate. Landlord must give 45 day notice to raise rent. (Nevada Revised Statute Annotated, Sections 40.251 and 118A.300).

**Rent Late Fees:** Must be in writing. (Nevada Revised Statute Annotated, Sections 118A.200(3)(g) and 118A.200(4)(c)).

**Required Landlord Disclosures:** Lease must contain the following: 1) information regarding the right of tenant to display U.S. flag, 2) information regarding tenant's reporting of building, safety, or health code violations; and 3) summary of penalties for maintaining a nuisance. Non-refundable fees are permitted if explained in lease. Lease must also contain a signed inventory and record of the condition of the property. (Nevada Revised Statutes Annotated, Sections 118A.200, 118A.325, and 202.470).

**When and Where Rent is Due:** Details of when and where rent is due. (Nevada Revised Statute Annotated, Sections 118A.210).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Nevada Revised Statute Annotated, Sections 240.167+).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a Notice of claim of lien must be recorded within 90 days of the later of provided materials/labor or completion of the work. The notice of completion must be recorded within 40 days of recording the lien and the lien must be served on the owner within 30 days of recording. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Nevada Revised Statute Annotated, Sections 108.221+).

**Other Recording Requirements:** Acknowledgment required and the mailing address of the grantee and the assessor's parcel number required. (Nevada Revised Statutes, Section 111.312).

# New Hampshire

**State Landlord-Tenant Statutes:** New Hampshire Revised Statutes, Sections 540:1 to 540:29 and 540-A:1 to 540-A:8.

**State Property Laws Statutes:** New Hampshire Revised Statutes, Titles 46 to 48.

**State Law Website:** <http://www.nh.gov/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. "Reasonable" notice and prior consent are required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (New Hampshire Revised Statutes, Section 540-A:3).

**Security Deposit Amount Limits:** 1 month's rent or \$100.00 (which ever is greater). No limit but in writing, if owner resides on the premises. (New Hampshire Revised Statutes, Sections 540-A:5 to 540-A:8 and 540-B:10).

**Deadlines for Security Deposit Returns:** 30 days. If it is a shared facility and if it is more than 1 month's rent, an agreement must be written stating how much the deposit is and when it will be returned. If no written agreement, deposit must be returned within 20 days. (New Hampshire Revised Statutes, Sections 540-A:5 to 540-A:8 and 540-B:10).

**Interest Required on Security Deposit:** Yes. (New Hampshire Revised Statutes, Sections 540-A:5 to 540-A:8 and 540-B:10).

**Separate Account required for Security Deposit:** Yes. (New Hampshire Revised Statutes, Sections 540-A:5 to 540-A:8 and 540-B:10).

**Exemption from Security Deposit Laws:** Exemption for a person who rents or leases a single family residence and owns no other rental property or who rents or leases rental units in an owner-occupied building of 5 units or less shall not be considered a "landlord" for the purposes of this subdivision, except for any individual unit in such building which is occupied by a person or persons 60 years of age or older. Exemption also applies for vacation property. (New Hampshire Revised Statutes, Section 540-A:5).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. Landlord must have "just cause" for termination. (New Hampshire Revised Statutes, Section 540:2 and 540:3).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Tenant may note any conditions that need repair on the security deposit receipt or on lease. (New Hampshire Revised Statutes, Section 540-A:6).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (New Hampshire Revised Statutes, Section 456-B:8).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a lien created by statute must be perfected by complex writ system within 120 days of provision of labor or materials. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (New Hampshire Revised Statutes, Section 447:1+).

**Other Recording Requirements:** None.

# New Jersey

**State Landlord-Tenant Statutes:** New Jersey Statutes Annotated, Sections 2A:18-61.40 to 2A:18-61.52.

**State Property Laws Statutes:** New Jersey Statutes Annotated, Title 46.

**State Law Website:** [www.njleg.state.nj.us](http://www.njleg.state.nj.us)

**State Real Estate Disclosure Laws:** Seller's Real Property Disclosure Form. (New Jersey Statutes Annotated, Sections 46:3C:10). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 1 ½ month's rent. (New Jersey Statutes Annotated, Sections 46:8-19 to 46:8-26).

**Deadlines for Security Deposit Returns:** 30 days. Return deposit in 5 days in case of fire, flood, condemnation or evacuation. (New Jersey Statutes Annotated, Sections 46:8-19 to 46:8-26).

**Interest Required on Security Deposit:** Yes. (New Jersey Statutes Annotated, Sections 46:8-19 to 46:8-26).

**Separate Account required for Security Deposit:** Yes. (New Jersey Statutes Annotated, Sections 46:8-19 to 46:8-26).

**Exemption from Security Deposit Laws:** Rental units in owner-occupied buildings that have no more than two units other than the owner-landlord's unit unless tenants in have sent a 30-day written notice to the landlord stating that he or she wants the landlord to comply with the law's provisions. (New Jersey Statutes Annotated, Section 46:8-19 to 46:8-26).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** Landlord must wait until 5 days to charge late fee. (New Jersey Statutes Annotated, Section 2A:42-6.1).

**Required Landlord Disclosures:** Land lord must provide tenant with copy of landlord and tenants rights from the Department of Consumer Affairs website - see below. Landlord must also inform tenant if property is in flood zone. (New Jersey Statutes Annotated, Section 46:8-50 and [http://www.state.nj.us/dca/divisions/codes/forms/pdf\\_lti/landlord\\_regs.pdf](http://www.state.nj.us/dca/divisions/codes/forms/pdf_lti/landlord_regs.pdf))

**When and Where Rent is Due:** Details of when rent is due. There is a grace period allowed for rental payments. (New Jersey Statutes Annotated, Section 2A:42-6.1)

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (New Jersey Statutes Annotated, Section 52:1-7+).

**Claim of Lien:** No preliminary notice necessary on commercial jobs. For primary contractors a construction lien must be filed within 90 days of last work or materials provided. The lien must be served on the owner within 10 business days of filing. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (New Jersey Statutes Annotated, Section 2A:44A-1+).

**Other Recording Requirements:** The instrument must be in English or accompanied by an English translation, be acknowledged, contain a statement as to consideration for realty transfer tax purposes, and contain the municipal tax lot and block designation of property. (New Jersey Statutes Annotated, Section 46:15-1.1). For deeds conveying real property on which there has been new construction must have the words "New Construction" printed at the top of the first page of the deed in upper case lettering along with an affidavit by the grantor stating that there is new construction. (New Jersey Statutes Annotated, Section 46:15-1.1).



# New Mexico

**State Landlord-Tenant Statutes:** New Mexico Statutes Annotated, Sections 47-8-1 to 47-8-51 (rev. 01/06).

**State Property Laws Statutes:** New Mexico Statutes Annotated, Chapter 42.

**State Law Website:** <http://www.nmlegis.gov/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice for inspection, repairs, viewing and entry if tenant is absent for long periods. (New Mexico Statutes Annotated, Section 47-8-24).

**Security Deposit Amount Limits:** 1 month's rent for rental agreements less than a year. No limit for leases over one year. (New Mexico Statutes Annotated, Section 47-8-18).

**Deadlines for Security Deposit Returns:** 30 days. (New Mexico Statutes Annotated, Section 47-8-18).

**Interest Required on Security Deposit:** Yes. (New Mexico Statutes Annotated, Section 47-8-18).

**Separate Account required for Security Deposit:** No. (New Mexico Statutes Annotated, Section 47-8-18).

**Exemption from Security Deposit Laws:** None. (New Mexico Statutes Annotated, Section 47-8-18).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (New Mexico Statutes Annotated, Section 47-8-37 and 47-8-15(F)).

**Rent Late Fees:** Late fee cannot exceed 10% of the rent. (New Mexico Statutes Annotated, Section 47-8-15(D)).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (New Mexico Statutes Annotated, Section 47-8-19).

**When and Where Rent is Due:** Details of when and where rent is due. (New Mexico Statutes Annotated, Section 47-8-15(B)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (New Mexico Statutes Annotated, Section 14-14-8).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a claim must be filed within 120 days of completing the project. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (New Mexico Statutes Annotated, Section 48-2-1+).

**Other Recording Requirements:** Acknowledgment required. (New Mexico Statutes Annotated, Section 14-9-1+).

# New York

**State Landlord-Tenant Statutes:** New York Consolidated Laws Real Property Law (RPP) Sections 220-238; Real Property Actions and Proceedings Law (RPA) Sections 701-881; Multiple Dwelling Law (MDW) all; Multiple Residence Law (MRE) all; General Obligation Law (GOL) Sections 7-101- 7-109.

**State Property Laws Statutes:** New York Consolidated Laws, Real Property (RPP).

**State Law Website:** <http://assembly.state.ny.us/>

**State Real Estate Disclosure Laws:** Property Condition Disclosure Statement. (New York Consolidated Laws, Real Property (RPP) 14-460). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute. A landlord, however, may enter a tenant's apartment with reasonable prior notice, and at a reasonable time: (a) to provide necessary or agreed upon repairs or services; or (b) in accordance with the lease; or (c) to show the apartment to prospective purchasers or tenants. In emergencies, such as fires, the landlord may enter the apartment without the tenant's consent. A landlord may not interfere with the installation of cable television facilities. (Tenant's Rights Guide, New York State Attorney General Office).

**Security Deposit Amount Limits:** No limit in statutes for non-regulated units. (New York Consolidated General Obligation Law (GOL), Sections 7-101 to 7-109).

**Deadlines for Security Deposit Returns:** Within a reasonable amount of time. (New York Consolidated General Obligation Law (GOL), Sections 7-101 to 7-109).

**Interest Required on Security Deposit:** Yes. (New York Consolidated General Obligation Law (GOL), Sections 7-101 to 7-109).

**Separate Account required for Security Deposit:** Yes. (New York Consolidated General Obligation Law (GOL), Sections 7-101 to 7-109).

**Exemption from Security Deposit Laws:** Landlords are exempt who rent out non-regulated units in buildings with 5 or fewer units. (New York Consolidated General Obligation Law (GOL), Sections 7-101 to 7-109).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. (New York Consolidated Laws, Real Property Law, Section 232-a and 232-b).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (New York Consolidated Laws, Real Property Law, Section 309+).

**Claim of Lien:** Preliminary notice of lien must be served on owner within 5 days before or 30 days after filing with the County Clerk. Proof of service must be filed with the County Clerk within 35 days. For primary contractors a lien may be filed within 8 months after the last work or materials were provided. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (New York Consolidated Laws, Lien Law, Section 1+).

**Other Recording Requirements:** Acknowledgment required. (New York Consolidated Laws, Real Property (RPP), Section 291). Must be in English and contain the tax map section including block and lot. (New York Consolidated Laws, Real Property (RPP), Section 333). Real Property Transfer Tax Forms are required and can be obtained from [www.tax.state.ny.us](http://www.tax.state.ny.us). There are special requirements for Chautauqua county. (New York Consolidated Laws, Real Property (RPP), Section 291-A). There are special requirements for Cattaraugus county. (New York Consolidated Laws, Real Property (RPP), Section 291-B).

# North Carolina

**State Landlord-Tenant Statutes:** North Carolina General Statutes, Sections 42-1 to 42-76.

**State Property Laws Statutes:** North Carolina General Statutes, Chapters 47B to 47F and 116A to 116B.

**State Law Website:** [www.ncga.state.nc.us/](http://www.ncga.state.nc.us/)

**State Real Estate Disclosure Laws:** Residential Property Disclosure Statement. (North Carolina General Statutes, Section 47E). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 1 ½ month's rent for month-to-month rental agreements. 2 month's rent if agreement is longer than 2 months. (North Carolina General Statutes, Sections 42-50 to 42-56).

**Deadlines for Security Deposit Returns:** 30 days. (North Carolina General Statutes, Sections 42-50 to 42-56).

**Interest Required on Security Deposit:** No. (North Carolina General Statutes, Sections 42-50 to 42-56).

**Separate Account required for Security Deposit:** Yes. (North Carolina General Statutes, Sections 42-50 to 42-56).

**Exemption from Security Deposit Laws:** None. (North Carolina General Statutes, Sections 42-50 to 42-56).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 7 days to terminate or change rent. (North Carolina General Statutes, Section 42-14).

**Rent Late Fees:** Late fee cannot exceed \$15.00 or 5% of rent (whichever is greater). Landlord cannot impose this fee until rent is 5 days late. (North Carolina General Statutes, Section 42-46).

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None. However, grace periods are allowed for rental payments. (North Carolina General Statutes, Section 42-46).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (North Carolina General Statutes, Section 47 and 10B).

**Claim of Lien:** While there is no preliminary notice necessary to protect prime contractor's lien rights, a Notice of Contract should be filed with the clerk of superior court within 30 days following the issuance of the building permit and posted on the job site. A claim of lien on real property must be filed no later than 120 days after the last labor or materials were furnished. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (North Carolina General Statutes, Section 44A-7+).

**Other Recording Requirements:** Documents must be executed and acknowledged in strict compliance with the North Carolina statutory requirements for acknowledgments. (North Carolina General Statutes, Section 45-21.16). Some counties require affidavits of consideration. (North Carolina General Statutes, Section 45-37).

# North Dakota

**State Landlord-Tenant Statutes:** North Dakota Century Code, Sections 47-16-01 to 47-16-41.

**State Property Laws Statutes:** North Dakota Century Code, Title 47.

**State Law Website:** <http://www.nd.gov/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. "Reasonable" notice required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (North Dakota Century Code, Section 47-16-07.3).

**Security Deposit Amount Limits:** 1 month's rent. \$2,500.00 or 2 months' rent if renter has a pet. (North Dakota Century Code Section 47-16-07.1).

**Deadlines for Security Deposit Returns:** 30 days. (North Dakota Century Code, Section 47-16-07.1).

**Interest Required on Security Deposit:** Yes. (North Dakota Century Code, Section 47-16-07.1).

**Separate Account required for Security Deposit:** Yes. (North Dakota Century Code, Section 47-16-07.1).

**Exemption from Security Deposit Laws:** None. (North Dakota Century Code, Section 47-16-07.1).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (North Dakota Century Code, Section 47-16-15).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord and tenant must complete an inventory of the property and both parties must sign at time lease is signed. (North Dakota Century Code, Section 47-16-07.2).

**When and Where Rent is Due:** Details of when rent is due. (North Dakota Century Code, Section 47-16-07).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (North Dakota Century Code, Section 47-19-14.6).

**Claim of Lien:** Preliminary notice is necessary. Notice to the owner must be recorded with the register of deeds and served on the owner showing they have 15 days before a lien will be instituted. For primary contractors a lien must be filed and served within 90 days of last labor or materials furnished. Also, a notice of intent to enforce a lien must be served by registered mail on owner at least 20 days before the action is commenced or 10 days before if the owner is served personally. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (North Dakota Century Code, Section 35-27-01+).

**Other Recording Requirements:** Before an instrument can be recorded, its execution must be established by an acknowledgment, subscribing witness, or another way prescribed by law. (North Dakota Century Code, Section 47-19-03).

# Ohio

**State Landlord-Tenant Statutes:** Ohio Revised Code, Sections 5321.01 to 5321.19.

**State Property Laws Statutes:** Ohio Revised Code, Title 53.

**State Law Website:** <http://www.ohio.gov/>

**State Real Estate Disclosure Laws:** Residential Property Disclosure Form. (Ohio Revised Code, Section 5302.30). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (Ohio Revised Code, Sections 5321.04(A)(8) and 5321.05(B)).

**Security Deposit Amount Limits:** No limit in statute. (Ohio Revised Code, Sections 5321.16).

**Deadlines for Security Deposit Returns:** 30 days. (Ohio Revised Code, Sections 5321.16).

**Interest Required on Security Deposit:** Yes. (Ohio Revised Code, Sections 5321.16).

**Separate Account required for Security Deposit:** No. (Ohio Revised Code, Sections 5321.16).

**Exemption from Security Deposit Laws:** None. (Ohio Revised Code, Sections 5321.16).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Ohio Revised Code, Sections 5321.17).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Ohio Revised Code, Sections 5321.18).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Ohio Revised Code, Sections 147.55).

**Claim of Lien:** No preliminary notice is necessary. For primary contractors a lien affidavit must be filed within 75 days from the date on which the last of labor or materials were provided. A copy of the affidavit must be served on the owner within 30 days of filing. Standard Claim of Lien form generally acceptable. (Ohio Revised Code, Sections 1311.01+).

**Other Recording Requirements:** Acknowledgment required. (Ohio Revised Code, Sections 5301.01).

# Oklahoma

**State Landlord-Tenant Statutes:** Oklahoma Statutes, Title 41, Sections 1-136.

**State Property Laws Statutes:** Oklahoma Statutes, Title 60.

**State Law Website:** <http://www.oklahoma.gov/>

**State Real Estate Disclosure Laws:** Residential Property Condition Disclosure Statement. (Oklahoma Statutes, Section 60-831). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 1 day notice required for inspection, repairs, viewing of property. (Oklahoma Statutes, Section 41-128).

**Security Deposit Amount Limits:** No limit in statute. (Oklahoma Statutes, Section 41-115).

**Deadlines for Security Deposit Returns:** 30 days. (Oklahoma Statutes, Section 41-115).

**Interest Required on Security Deposit:** No. (Oklahoma Statutes, Section 41-115).

**Separate Account required for Security Deposit:** Yes. (Oklahoma Statutes, Section 41-115).

**Exemption from Security Deposit Laws:** None. (Oklahoma Statutes, Section 41-115).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Oklahoma Statutes, Section 41-111).

**Rent Late Fees:** Preset late fees are not valid. (Oklahoma Case Law).

**Required Landlord Disclosures:** Landlord must disclose the name and address of the manager of the property and the name and address for the purpose of receiving notices. If the property has flooded within the last 5 years, this must be stated in the lease. (Oklahoma Statutes, Section 41-113A to 116).

**When and Where Rent is Due:** Details of when and where rent is due. Grace periods are allowed for rental payments. ((Oklahoma Statutes, Section 41-109 and 41-132(B)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Oklahoma Statutes, Section 49-119).

**Claim of Lien:** No preliminary notice necessary on commercial projects. For primary contractors a Statement of lien must be filed within 4 months after the last materials or labor was furnished under contract. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Oklahoma Statutes, Section 42-141+).

**Other Recording Requirements:** Acknowledgment required. (Oklahoma Statutes, Title 19, Section 284+).

# Oregon

**State Landlord-Tenant Statutes:** Oregon Revised Statutes, Sections 90.100 to 90.440.

**State Property Laws Statutes:** Oregon Revised Statutes, Chapters 90-93.

**State Law Website:** <http://www.leg.state.or.us/>

**State Real Estate Disclosure Laws:** Seller's Property Disclosure Statement. (Oregon Revised Statutes, Section 105.462). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice required for inspection, repairs, viewing of property. (Oregon Revised Statutes, Section 90.322).

**Security Deposit Amount Limits:** No limit in statute. (Oregon Revised Statutes, Section 90.300).

**Deadlines for Security Deposit Returns:** 31 days. (Oregon Revised Statutes, Section 90.300).

**Interest Required on Security Deposit:** No. (Oregon Revised Statutes, Section 90.300).

**Separate Account required for Security Deposit:** No. (Oregon Revised Statutes, Section 90.300).

**Exemption from Security Deposit Laws:** None. (Oregon Revised Statutes, Section 90.300).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Oregon Revised Statutes, Section 90.070).

**Rent Late Fees:** A reasonable late fee may be charged after 5 days if specified in the lease. (Oregon Revised Statutes, Section 90.260).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Non-refundable fees may be allowed for reasonably anticipated landlord expense. For rentals of more than 4 units, landlord must disclose any outstanding actions for foreclosure or notices of defaults under mortgages or contracts for sale. Landlord must also disclose to tenant how utilities for property are paid and assessed, including for any common areas. In addition, Landlord must inform tenant of opportunity for recycling. (Oregon Revised Statutes, Section 90.302 and 90.305).

**When and Where Rent is Due:** Details of when and where rent is due. Grace periods are provided for rent payments. (Oregon Revised Statutes, Section 90.220 and 90.260).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Oregon Revised Statutes, Section 194.575).

**Claim of Lien:** Preliminary notice is necessary. Notice of right to lien must be served on the owner with all claims within 8 days of providing materials. Any claim after the 8 days limits claimants rights. A claim for nonpayment must be made by the earlier of: 75 days after last provided materials or labor or within 75 days of completion of construction. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Oregon Revised Statutes, Section 87.001+).

**Other Recording Requirements:** The first page should show to whom and where the recorder should return the document after recording. A conveyance or contract to convey must have a statement of the actual consideration paid, a statutory land use warning, and an addressee and address for tax statements. Every instrument must be sufficiently legible to reproduce a readable photographic record meaning that the recorder can reject an instrument because of highlighting on text, encroachment of a notary seal into the test of an acknowledgment, smudged notary seal, or faxed or photocopied exhibits of poor legibility. Oregon has mandatory language that must be included in all transfer documents. Please check the statute (Oregon Revised Statutes, Section 93.040) specifically. (Oregon Revised Statutes, Section 93.010+).



# Pennsylvania

**State Landlord-Tenant Statutes:** Pennsylvania Consolidated Statutes, Title 68, Section 250.101 to 250.510-B.

**State Property Laws Statutes:** Pennsylvania Consolidated Statutes, Title 68.

**State Law Website:** <http://www.state.pa.us/>

**State Real Estate Disclosure Laws:** Seller's Property Disclosure Statement. (Pennsylvania Consolidated Statutes, Section 68-7301). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 2 month's rent for first year, 1 month's rent for every year after. (Pennsylvania Consolidated Statutes, Sections 68-250.511a to 68-250.512).

**Deadlines for Security Deposit Returns:** 30 days. (Pennsylvania Consolidated Statutes, Sections 68-250.511a to 68-250.512).

**Interest Required on Security Deposit:** Yes. (Pennsylvania Consolidated Statutes, Sections 68-250.511a to 68-250.512).

**Separate Account required for Security Deposit:** Yes. (Pennsylvania Consolidated Statutes, Sections 68-250.511a to 68-250.512).

**Exemption from Security Deposit Laws:** None. (Pennsylvania Consolidated Statutes, Sections 68-250.511a to 68-250.512).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Pennsylvania Consolidated Statutes, Section 21-291.7).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a lien claim must be filed within 6 months of completion of work and an affidavit of service must be filed within 20 days. Also, the Notice of lien must be served on owner within 1 month of filing the claim. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. However, must include a detailed itemized statement. (Pennsylvania Consolidated Statutes, Section 49-1503).

**Other Recording Requirements:** The deed must include the Uniform Parcel Identifier. (Pennsylvania Consolidated Statutes, 16 PS Section 9781.1.). Consideration must be stated on deed or an original and conformed copy of an Affidavit of Value must accompany the deed. (Pennsylvania Consolidated Statutes, 42 PS Section 21053). Must report transfers to tax assessment authorities. (Pennsylvania Consolidated Statutes, 16 PS Section 9781).

# Rhode Island

**State Landlord-Tenant Statutes:** Rhode Island General Laws, Sections 34-18-1 to 34-18-57.

**State Property Laws Statutes:** Rhode Island General Laws, Title 34.

**State Law Website:** <http://www.state.ri.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD. (Rhode Island General Laws, Section 5-20.8-1).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 days notice required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (Rhode Island General Laws Section 34-18-26).

**Security Deposit Amount Limits:** 1 month's rent. (Rhode Island General Laws, Section 34-18-19).

**Deadlines for Security Deposit Returns:** 20 days. (Rhode Island General Laws, Section 34-18-19).

**Interest Required on Security Deposit:** No. (Rhode Island General Laws, Section 34-18-19).

**Separate Account required for Security Deposit:** No. (Rhode Island General Laws, Section 34-18-19).

**Exemption from Security Deposit Laws:** None. (Rhode Island General Laws, Section 34-18-19).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Rhode Island General Laws, Sections 34-18-16.1 and 34-18-37).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord must inform tenant of any housing code violations. (Rhode Island General Laws, Section 34-18-20 and 34-18-22.1).

**When and Where Rent is Due:** Details of when and where rent is due. Grace periods are provided for rent payments. (Rhode Island General Laws, Section 34-18-15(c) and 34-18-35).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Rhode Island General Laws, Sections 34-12-1+).

**Claim of Lien:** Preliminary notice of 10 days within commencing work is necessary. For preliminary contractors a notice of intention to claim must be filed and served within 200 days of providing labor or materials. Within 40 days the claimant needs to file a Notice of Lis Pendens and also file a petition to Enforce within 7 days of Notice of Lis pendens. Standard Claim of Lien form generally acceptable. (Rhode Island General Laws, Sections 34-28-1+).

**Other Recording Requirements:** Rhode Island does NOT record by county. Recordings are sent to the appropriate recording office of the property address. Check city websites for special requirements. For example, the City of Newport's website is [http://www.ci.newport.ri.us/departments/city-clerk/pdf/2008\\_probate\\_fees.amended2.pdf](http://www.ci.newport.ri.us/departments/city-clerk/pdf/2008_probate_fees.amended2.pdf).

# South Carolina

**State Landlord-Tenant Statutes:** South Carolina Code of Laws, Sections 27-40-10 to 27-40-910.

**State Property Laws Statutes:** South Carolina Code of Laws, Title 27 and 30.

**State Law Website:** <http://www.sc.gov>

**State Real Estate Disclosure Laws:** Residential Property Condition Disclosure Statement. (South Carolina Code of Laws, Section 27-50-10). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hour notice required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (South Carolina Code of Laws, Section 27-40-530).

**Security Deposit Amount Limits:** No limit in statute. (South Carolina Code of Laws, Section 27-40-410).

**Deadlines for Security Deposit Returns:** 30 days. (South Carolina Code of Laws, Section 27-40-410).

**Interest Required on Security Deposit:** No. (South Carolina Code of Laws, Section 27-40-410).

**Separate Account required for Security Deposit:** No. (South Carolina Code of Laws, Section 27-40-410).

**Exemption from Security Deposit Laws:** None. (South Carolina Code of Laws, Section 27-40-410).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (South Carolina Code of Laws, Section 27-40-770).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. ((South Carolina Code of Laws, Section 27-40-420).

**When and Where Rent is Due:** Details of when and where rent is due. ((South Carolina Code of Laws, Section 27-40-310(c)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (South Carolina Code of Laws, Section 26-3-70).

**Claim of Lien:** Preliminary notice is necessary. For primary contractors a notice of project commencement should be filed within 15 days of beginning. A lien claim must be filed and served within 90 days after last labor or materials are provided. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (South Carolina Code of Laws, Section 29-5-10+).

**Other Recording Requirements:** Signature and seal of the party whose interest is being conveyed or dealt with is required. (South Carolina Code of Laws, Section 30-5-30). Deeds and mortgages must contain a statutory derivation clause stating the name of the grantor and recording date of the prior deed. (South Carolina Code of Laws, Section 30-5-35).

# South Dakota

**State Landlord-Tenant Statutes:** South Dakota Codified Laws, Sections 43-32-1 to 43-32-29.

**State Property Laws Statutes:** South Dakota Codified Laws, Title 43.

**State Law Website:** <http://www.state.sd.us/>

**State Real Estate Disclosure Laws:** Seller's Property Condition Disclosure Statement. (South Dakota Codified Laws, Section 43-4-37). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** 1 month's rent unless special conditions warrant more. (South Dakota Codified Laws, Sections 43-32-6.1 and 43-32-24).

**Deadlines for Security Deposit Returns:** 2 weeks to return entire deposit or portion with written reasons for deductions. (South Dakota Codified Laws, Sections 43-32-6.1 and 43-32-24).

**Interest Required on Security Deposit:** No. (South Dakota Codified Laws, Sections 43-32-6.1 and 43-32-24).

**Separate Account required for Security Deposit:** No. (South Dakota Codified Laws, Sections 43-32-6.1 and 43-32-24).

**Exemption from Security Deposit Laws:** None. (South Dakota Codified Laws, Sections 43-32-6.1 and 43-32-24).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. Renter has 15 days to terminate after receiving landlord's modification of agreement. (South Dakota Codified Laws, Sections 43-32-13 and 43-8-8).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose knowledge of the existence of any prior manufacturing of methamphetamines on the property. (South Dakota Codified Laws, Sections 43-32-30).

**When and Where Rent is Due:** Details of when rent is due. (South Dakota Codified Laws, Sections 43-32-12).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (South Dakota Codified Laws, Section 18-5-8+).

**Claim of Lien:** Preliminary notice is necessary. Primary contractors should file notice of project commencement within 30 days of beginning work. Owners must give notice to contractor and contractor must give written notice that it disputes claim within 15 days or owner is entitled to pay the amount due and deduct the same from the amount owed to contractor. For a claim of lien the owner may serve written notice within 15 days after work has been completed. A statement of claim must be filed within 120 days from the last work or labor. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (South Dakota Codified Laws, Section 44-1-1+).

**Other Recording Requirements:** Certificate of value required. (South Dakota Codified Laws, Section 7-9-7(4)).

# Tennessee

**State Landlord-Tenant Statutes:** Tennessee Code, Sections 66-28-101 to 66-28-520.

**State Property Laws Statutes:** Tennessee Code, Title 66.

**State Law Website:** <http://www.tennessee.gov/>

**State Real Estate Disclosure Laws:** Residential Property Condition Disclosure. (Tennessee Code, Title 66, Chapter 5, Part 2). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency or abandonment. "Reasonable notice required for inspection, repairs and viewing of property. (Tennessee Code, Section 66-28-403).

**Security Deposit Amount Limits:** No limit in statute. (Tennessee Code, Section 66-28-301).

**Deadlines for Security Deposit Returns:** No deadline in statute. (Tennessee Code, Section 66-28-301).

**Interest Required on Security Deposit:** No. (Tennessee Code, Section 66-28-301).

**Separate Account required for Security Deposit:** Yes. (Tennessee Code, Section 66-28-301).

**Exemption from Security Deposit Laws:** None. (Tennessee Code, Section 66-28-301).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. (Tennessee Code, Section 66-28-512).

**Rent Late Fees:** Landlord must wait until rent is 5 days late to impose late fee. Late fee cannot exceed 10% of the amount due. (Tennessee Code, Sections 66-28-201(d)).

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. (Tennessee Code, Sections 66-28-302).

**When and Where Rent is Due:** Details of when and where rent is due. Grace periods are provided for rental payments. ((Tennessee Code, Section 66-28-201(c) and 66-28-201(d)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Tennessee Code, Sections 66-22-107+).

**Claim of Lien:** Preliminary notice is necessary, prior to commencing work. For primary contractors a claim must be brought within 1 year of last work or materials provided. Notice of completion filed by the owner requires lien notice to be filed within 30 days of notice of completion. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Tennessee Code, Sections 66-11-101+).

**Other Recording Requirements:** Designation of grantor's source of title and the tax assessor's parcel number required. (Tennessee Code, Sections 66-24-110 and 66-24-122).

# Texas

**State Landlord-Tenant Statutes:** Texas Statutes, Property Code, Sections 91.001 - 91.006 and 92.001-92.354.

**State Property Laws Statutes:** Texas Statutes, Property Code.

**State Law Website:** <http://www.state.tx.us/>

**State Real Estate Disclosure Laws:** Seller's Disclosure of Property Condition. (Texas Statutes, Property Code, Sections 5.008). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Texas Statutes, Property Code, Sections 92.101 to 92.109).

**Deadlines for Security Deposit Returns:** 30 days. If landlord wishes to require tenant to give advance notice of surrender of property prior to return of security deposit, this must be stated in writing in the lease in bold or underlined. (Texas Statutes, Property Code, Sections 92.101 to 92.109 and 92.201).

**Interest Required on Security Deposit:** No. (Texas Statutes, Property Code, Sections 92.101 to 92.109).

**Separate Account required for Security Deposit:** No. (Texas Statutes, Property Code, Sections 92.101 to 92.109).

**Exemption from Security Deposit Laws:** None. Texas Statutes: (Texas Statutes, Property Code, Sections 92.101 to 92.109).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. (Texas Statutes, Property Code, Section 91.001).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. If landlord wants tenant requests for security devices in writing, this must be stated in lease in bold or underlined. (Texas Statutes, Property Code, Section 92.103 and 92.159).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Texas Statutes, Property Code, Section 121.007+).

**Claim of Lien:** No preliminary notice is necessary. For primary contractors a claim must be accompanied by an affidavit of lien. This lien must be filed by the 15th day of the fourth calendar month after the day on which the debt accrued, and a copy must be sent to the owner within 5 days of filing. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Texas Statutes, Property Code, Section 53.001+).

**Other Recording Requirements:** Must be in English. (Texas Statutes, Property Code, Section 11.002). Must be acknowledged or sworn to by the grantor in the presence of two or more credible subscribing witnesses or acknowledged or sworn to with a proper jurat before and certified by an officer authorized to take acknowledgment or oaths. (Texas Statutes, Property Code, Section 12.001). A plat or replat of a subdivision of real property may not be filed for record unless it is approved as provided by law by the appropriate governmental authority and unless the plat or replat has attached to it the documents required by the Local Government Code. (Texas Statutes, Property Code, Section 12.002).

# Utah

**State Landlord-Tenant Statutes:** Utah Code, Sections 57-17-1 to 57-17-5 and 57-22-1 to 57-22-6.

**State Property Laws Statutes:** Utah Code, Title 57.

**State Law Website:** <http://www.utah.gov/> **State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. No renter can deny access for repairs. (Utah Code, Section 57-22-5(2)(c)).

**Security Deposit Amount Limits:** No limit in statute. (Utah Code, Sections 57-17-1 to 57-17-5).

**Deadlines for Security Deposit Returns:** 30 days or 15 days after receiving tenant's forwarding address (whichever is longer). (Utah Code, Sections 57-17-1 to 57-17-5).

**Interest Required on Security Deposit:** No. (Utah Code, Sections 57-17-1 to 57-17-5).

**Separate Account required for Security Deposit:** No. (Utah Code, Sections 57-17-1 to 57-17-5).

**Exemption from Security Deposit Laws:** None. (Utah Code, Sections 57-17-1 to 57-17-5).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose knowledge of the existence of any prior manufacturing of methamphetamines on the property. (Utah Code, Sections 57-27-101+).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Utah Code, Sections 57-2a-7).

**Claim of Lien:** Preliminary notice is necessary. For prime contractors a notice of commencement must be filed within 15 days of building permit issuance or within 15 days of beginning work. Notice of the lien must be filed within 90 days of final completion of the original contract and notice of the lien should be mailed to the owner within 30 days of filing. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Utah Code, Sections 38-1-1+).

**Other Recording Requirements:** Certificate of acknowledgment or other proof of execution is required. (Utah Code, Section 57-3-101).



# Vermont

**State Landlord-Tenant Statutes:** Vermont Statutes, Title 9, Sections 4451 to 4468.

**State Property Laws Statutes:** Vermont Statutes, Title 27.

**State Law Website:** [www.leg.state.vt.us/](http://www.leg.state.vt.us/)

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** Immediate access for emergency. 48 hour notice for inspection, repairs and viewing of property. (Vermont Statutes, Title 9, Section 4460).

**Security Deposit Amount Limits:** No limit in statute. (Vermont Statutes, Title 9, Section 4461).

**Deadlines for Security Deposit Returns:** 14 days. (Vermont Statutes, Title 9, Section 4461).

**Interest Required on Security Deposit:** No. (Vermont Statutes, Title 9, Section 4461).

**Separate Account required for Security Deposit:** No. (Vermont Statutes, Title 9, Section 4461).

**Exemption from Security Deposit Laws:** None. (Vermont Statutes, Title 9, Section 4461).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** Renter has 1 rental period to terminate or change rent. Landlord has 30 days to terminate or change rent. If there is no written agreement, the landlord has 60 days if tenant has rented for 2 years or less, 90 days if tenant has rented for more than 2 years. (Vermont Statutes, Title 9, Sections 4467 and 4456(d)).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** Details of when rent is due. (Vermont Statutes, Title 9, Sections 4455).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Vermont Statutes, Title 24, Section 441+).

**Claim of Lien:** No preliminary notice is necessary. Notice of the lien must be recorded and provided to owner within 180 days from the day payment became due for labor or materials provided. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Vermont Statutes, Title 9, Section 1921+).

**Other Recording Requirements:** Must be witness and acknowledged by the grantor. (Vermont Statutes, Title 27, Section 341).

# Virginia

**State Landlord-Tenant Statutes:** Code of Virginia, Sections 55-218.1 to 55-248.40.

**State Property Laws Statutes:** Code of Virginia, Title 55.

**State Law Website:** <http://www.virginia.gov/>

**State Real Estate Disclosure Laws:** Residential Property Disclosure Statement. (Code of Virginia, Section 55-517). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 24 hours required for inspection, repairs, viewing of property and entry if tenant is absent for long periods. (Code of Virginia, Section 55-248.18).

**Security Deposit Amount Limits:** 2 month's rent. (Code of Virginia, Section 55-248.15:1).

**Deadlines for Security Deposit Returns:** 45 days. (Code of Virginia, Section 55-248.15:1).

**Interest Required on Security Deposit:** Yes. (Code of Virginia, Section 55-248.15:1).

**Separate Account required for Security Deposit:** No. (Code of Virginia, Section 55-248.15:1).

**Exemption from Security Deposit Laws:** None. (Code of Virginia, Section 55-248.15:1).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days to terminate or change rent. Renter must approve in writing of any change. (Code of Virginia, Sections 55-248.37 and 55-248.7).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** A written move-in report must be provided to tenant within 5 days of move-in. Landlord must disclose presence of mold if known. Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord must disclose to tenant notice if property is near military air installation noise or accident zone. (Code of Virginia, Sections 55-248.11:1, 55-248.11:2, and 55-248.12:1).

**When and Where Rent is Due:** Details of when and where rent is due. (Code of Virginia, Sections 55-248.7(C)).

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Code of Virginia, Section 55-118.6+).

**Claim of Lien:** No preliminary notice necessary. For primary contractors a Memorandum of lien must be filed and served on owner within 90 days from the last day of the month in which labor or materials were furnished or within 90 days from the time when work was terminated or completed, whichever is earlier. To include labor and materials in the lien they must have been provided within 150 days prior to the last day of labor or service. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Code of Virginia, Section 43-1+).

**Other Recording Requirements:** Circuit Court Clerks may require that any deed or other instrument must be filed with a cover sheet. (Code of Virginia, Sections 17.1-227.1). Circuit Court Clerks in localities with a unique parcel identification system shall require that any deed or instrument must have tax map reference number or parcel identification number (PIN). (Code of Virginia, Sections 17.1-252). Acknowledgment required. (Code of Virginia, Section 17.1-223).

# Washington

**State Landlord-Tenant Statutes:** Revised Code of Washington, Sections 59.04.010 to 59.04.900 and 59.18.010 to 59.18.911.

**State Property Laws Statutes:** Revised Code of Washington, Titles 63-65.

**State Law Website:** <http://www1.leg.wa.gov/legislature/>

**State Real Estate Disclosure Laws:** Seller's Residential Property Disclosures Statement. (Revised Code of Washington, Section 64.06.005). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. 2 days required for inspection, repairs and viewing of property. (Revised Code of Washington, Section 59.18.150).

**Security Deposit Amount Limits:** No limit in statutes. (Revised Code of Washington, Sections 59.18.260 to 59.18.285).

**Deadlines for Security Deposit Returns:** 14 days .(Revised Code of Washington, Sections 59.18.260 to 59.18.285).

**Interest Required on Security Deposit:** No. (Revised Code of Washington, Sections 59.18.260 to 59.18.285).

**Separate Account required for Security Deposit:** Yes .(Revised Code of Washington, Sections 59.18.260 to 59.18.285).

**Exemption from Security Deposit Laws:** None. (Revised Code of Washington, Sections 59.18.260 to 59.18.285).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 30 days for renter to terminate or change rent. 20 days for landlord to terminate rent and 30 days to change rent. (Revised Code of Washington, Sections 59.18.200 and 59.18.140).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** A move-in checklist is required. Non-refundable fees are permitted if clearly disclosed in lease. Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Landlord must disclose tenant information about the health hazards of mold; about fire protection and safety information; whether building has smoking policy, an emergency notification plan, or evacuation plan. Landlord must disclose whether he or she has a policy of renting to known criminal offenders. (Revised Code of Washington, Sections 59.18.060, 59.18.260, 59.18.285, and 59.18.500).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Revised Code of Washington, Sections 42.44.100).

**Claim of Lien:** Under certain circumstances preliminary notice is necessary prior to commencing work. For primary contractors a notice of a claim of lien must be filed within 90 days of last materials or labor provided, or the last date employee benefit contributions were due. Notice of the claim must be served on the owner within 14 days of recording. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable with Washington Notary Certification added (see statute). (Revised Code of Washington, Sections 60.04.010+).

**Other Recording Requirements:** Acknowledgment required. (Revised Code of Washington, Section 65.08.070). Assessor's property tax parcel or account number, a return address within the top left margin, the title(s) of the instrument indicating the kind(s) of documents or transaction are required. (Revised Code of Washington, Section 65.04.045).

# West Virginia

**State Landlord-Tenant Statutes:** West Virginia Code, Sections 37-6-1 to 37-6-30.

**State Property Laws Statutes:** West Virginia Code, Chapters 32A, 34, 35, 36, and 39.

**State Law Website:** <http://www.legis.state.wv.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No statute.

**Deadlines for Security Deposit Returns:** No statute.

**Interest Required on Security Deposit:** No statute.

**Separate Account required for Security Deposit:** No statute.

**Exemption from Security Deposit Laws:** No statute.

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 1 month to terminate or change rent. (West Virginia Code, Sections 37-6-5).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** None.

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (West Virginia Code, Sections 39-1A-6).

**Claim of Lien:** No preliminary notice is necessary. For primary contractors a Notice of Lien must be filed within 100 days of completion of the contract. Same time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (West Virginia Code, Sections 38-2-1+).

**Other Recording Requirements:** Acknowledgment required. (West Virginia Code, Section 39-1-2). Must set forth legibly the name of the person who prepared the deed. (West Virginia Code, Section 39-1-2a). Must contain a declaration of consideration or value and a Sales Listing form must be presented to the clerk. (West Virginia Code, Section 11-22-6).

# Wisconsin

**State Landlord-Tenant Statutes:** Wisconsin Statutes & Annotations, Sections 704.01 to 704.45 and Wisconsin Administrative Code ATPC 134.01 to 134.10.

**State Property Laws Statutes:** Wisconsin Statutes & Annotations, Chapters 700-710.

**State Law Website:** [www.legis.state.wi.us/](http://www.legis.state.wi.us/)

**State Real Estate Disclosure Laws:** Real Estate Condition Report. (Wisconsin Statutes & Annotations, Section 709.01). (This form is provided on the Forms-on-CD).

**Landlord's Entry to Real Estate:** Immediate access for emergency. "Reasonable" notice required for inspection, repairs and viewing of property. If landlord wishes to enter property for other purposes, such authority must be disclosed to tenant, before lease is signed, in a separate written document entitled "NONSTANDARD RENTAL PROVISIONS". (Wisconsin Statutes & Annotations, 704.05(2) and Wisconsin Administrative Code ATPC Sections 134.06).

**Security Deposit Amount Limits:** No limit in statute. (Wisconsin Administrative Code ATPC, Section 134.06).

**Deadlines for Security Deposit Returns:** 21 days. (Wisconsin Administrative Code ATPC, Section 134.06).

**Interest Required on Security Deposit:** No. (Wisconsin Administrative Code ATPC, Section 134.06).

**Separate Account required for Security Deposit:** No. (Wisconsin Administrative Code ATPC, Section 134.06).

**Exemption from Security Deposit Laws:** None. (Wisconsin Administrative Code ATPC, Section 134.06).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** 28 days to terminate or change rent. (Wisconsin Statutes & Annotations, Sections 704.19).

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Landlord must disclose the name and address the manager of the property and the name and address for the purpose of receiving notices. Tenant has right to inspect property and provide landlord with list of defects and also receive a list of prior tenants' damages. Landlord must disclose any uncorrected building and housing code violations or any other serious problems affecting the habitability of the property before accepting a deposit or signing a lease. If utility charges are not included in the rent, landlord must disclose this before accepting a deposit or signing a lease, including any utilities for common areas and how the amounts due are calculated. (Wisconsin Administrative Code ATPC, Section 134.04, 134.06, and 134.09).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Wisconsin Statutes & Annotations, Sections 706.07).

**Claim of Lien:** Preliminary notice is necessary and must be included in the original contract, or served on the owner within 10 days of providing labor or materials. For primary contractors a notice of intent to file a lien must be served on the owner at least 30 days before filing the claim. The claim must be filed within 6 months of the last provided materials or labor. Different time limits apply for subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Wisconsin Statutes & Annotations, Sections 779.01+).

**Other Recording Requirements:** Acknowledgment required. (Wisconsin Statutes & Annotations, Section 706.02). Must be signed or joined in by a separate conveyance by or on behalf of both spouses if the

conveyance alienates any interest of a married person in a homestead unless it is a conveyance between spouses. (Wisconsin Statutes & Annotations, Section 706.02). All documents must have a name, certain areas must be blank for register's use, must have parcel identification number (PIN), the ink must be black or red, except for signatures. (Wisconsin Statutes & Annotations, Section 59.43).

# Wyoming

**State Landlord-Tenant Statutes:** Wyoming Statutes, Sections 1-21-1201 to 1-21-1211 and 34-2-128 to 34-2-129.

**State Property Laws Statutes:** Wyoming Statutes, Title 34.

**State Law Website:**

<http://legisweb.state.wy.us/>

**State Real Estate Disclosure Laws:** No statutory form. Use basic Real Estate Disclosure Form in Chapter 4 and on the Forms-on-CD.

**Landlord's Entry to Real Estate:** No statute.

**Security Deposit Amount Limits:** No limit in statute. (Wyoming Statutes, Sections 1-21-1207 to 1-21-1208).

**Deadlines for Security Deposit Returns:** 30 days or 15 days after receiving renter's forwarding address (whichever is later). 60 days if there are deductions for damages. (Wyoming Statutes, Sections 1-21-1207 to 1-21-1208).

**Interest Required on Security Deposit:** No. (Wyoming Statutes, Sections 1-21-1207 & 1208).

**Separate Account required for Security Deposit:** No. (Wyoming Statutes, Sections 1-21-1207 to 1-21-1208).

**Exemption from Security Deposit Laws:** None. (Wyoming Statutes, Sections 1-21-1207 to 1-21-1208).

**Notice Required to Change or Terminate Month-to-Month Tenancy:** No statute.

**Rent Late Fees:** No statute.

**Required Landlord Disclosures:** Non-refundable fees are permitted if disclosed in the lease. (Wyoming Statutes, Section 1-21-1207).

**When and Where Rent is Due:** None.

**Notary Acknowledgment:** Standard Notary Block generally acceptable. (Wyoming Statutes, Section 34-26-108).

**Claim of Lien:** No preliminary notice necessary on commercial projects. For primary contractors a Notice of Intent to claim a lien must be filed 10 days prior to filing. Also, the contractor must file the lien statement within 120 days from the last day work was performed or materials were provided, or the date the work was substantially completed, whichever is earlier. Different time limits apply to subcontractors and material suppliers. Please check the statute specifically. Standard Claim of Lien form generally acceptable. (Wyoming Statutes, Section 29-1-201+).

**Other Recording Requirements:** Acknowledgment required. (Wyoming Statutes, Section 34-1-113). Statement of Consideration required. (Wyoming Statutes, Section 34-1-142).