

Breaking a lease

Moderate · 1 to 2 hours · Varies: from nothing to a few months' rent

Read your lease's early-termination terms, then talk to your landlord early. Offer a replacement tenant or a sublet if your state allows it. Some reasons, like military orders or domestic violence, give you legal rights to leave early.

YOU'LL NEED

- ☐ Your lease
- ☐ Your move-out date
- ☐ Proof of your reason, if it's military orders or a safety issue

WHAT TO KNOW

- 1 **Read your lease for an early-termination or buyout clause, subletting rules, and how much notice it requires.** That's your starting point.
- 2 **Talk to your landlord early, and follow up in writing.** Explain the reason and the date. Offer help: you'll show the unit, find a qualified replacement or pay a set fee.
- 3 **Ask about a sublet or assignment.** In New York, tenants in buildings with four or more units have the right to sublet with the landlord's advance consent. If the landlord unreasonably refuses, you can be let out of the lease after 30 days' notice.
- 4 **Know when the law lets you leave.** If you're in the military and get PCS orders, or orders to deploy for at least 90 days, you can end a lease with written notice under the Servicemembers Civil Relief Act.
- 5 **If you or someone in your home is a victim of domestic violence, sexual assault, stalking or human trafficking, many states let you leave early.** In California, it's 14 days' written notice with a copy of a restraining order or police report, or a statement from a qualified third party.
- 6 **Ask whether the landlord has to try to re-rent.** In New York, a landlord must try to re-rent if you leave early, and a lease can't waive that. Rules vary by state.
- 7 **Get the deal in writing: your end date, what you'll pay, and that you're released from the rest of the lease.** Then leave it clean and photographed. See Move-in photos and getting your deposit back.

Watch out Don't just stop paying and leave. You can still owe rent, the landlord can sue, and unpaid debts can end up in collections and hurt your rental history. Rules here vary by state, and some cities add their own. The examples come from the official tenant guides for California, New York and Texas. Find yours in the list of state guides below, or call legal aid.

DAD NOTE *A lease is a promise, but promises can be renegotiated. Bring a solution, not just a problem.*

Full lesson: aptkeys.com/your-place/when-something-goes-wrong/breaking-a-lease/

Checked October 3, 2026. Sources: New York State Attorney General; California Department of Real Estate; Military OneSource; Legal Services Corporation.