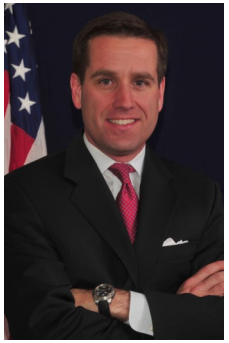

Dear Fellow Delawarean,

When it comes to protecting our families, safeguarding our wallets, knowing our rights as victims of crime, or understanding how the law can make our communities better, information is the key. Equipped with knowledge, we can make choices that greatly reduce our risk of becoming a victim of crime or fraud, and we can learn how to get help if we're mistreated.

The mission of the Delaware Department of Justice is to protect Delawareans from harm by enforcing the law and being your advocate. We're here to help you, and also to give you the information you need to help yourself and your family. Inside this brochure, you'll find useful information for renters and property owners about Delaware's Landlord-Tenant Code, and ways to contact the Department of Justice for assistance. Together, we can keep Delaware safe and strong.

Beau Biden
Attorney General

Delaware Department of Justice
820 North French Street
Wilmington, DE 19801

Getting to know...

The Delaware Landlord-Tenant Code

Protecting Delaware's Consumers

Delaware Department of Justice

Attorney General
Joseph R. "Beau" Biden III

Consumer Protection Unit

New Castle County	• (302) 577-8600
Kent County	• (302) 739-7641
Sussex County	• (302) 856-5353
Toll Free Consumer Hotline	• (800) 220-5424

consumer.protection@state.de.us
www.attorneygeneral.delaware.gov

Information for Tenants

A lease is a contract that the law requires you to follow, but the law also lets a tenant out of a lease early if:

- The tenant's employer requires that he or she move at least 30 miles away
- The tenant, or a family member who lives with the tenant, has a serious illness
- The tenant is accepted for admission into a senior citizen facility, a group facility, or a retirement home
- The tenant is accepted into government or non-profit subsidized housing
- The tenant enters the U.S. Military on active duty
- The tenant is a victim of domestic abuse, sexual offense, or stalking and has filed a complaint with the appropriate agency
- The tenant dies (In this circumstance, a surviving spouse or personal representative of the tenant may then end the lease)

Know the law

The Landlord-Tenant Code is the law that provides the rights and lays out the responsibilities of renters and property owners.

Whether you are the landlord or the tenant, it's important to know the law before you sign a lease.

Visit the Department of Justice website at www.attorneygeneral.delaware.gov (click on "Guarding Consumers") for additional information and a copy of the Landlord-Tenant Code

Information for Landlords

Like your tenants, you are required to honor the terms of the lease agreement, but there are conditions under which you may evict a tenant. These include if:

- The tenant stays in the unit, without permission, after the end of the lease
- The tenant fails to pay rent after 5 days' written notice
- The tenant takes a deduction from the rent that they should not have
- The tenant has violated terms of the lease or other requirements
- The tenant has been convicted of a felony or a Class A misdemeanor

As a landlord, you have many key responsibilities. A landlord must:

- Begin making repairs to the residence within 10 days' of receiving notice from the tenant that repairs are needed
- Inform the tenant in writing if he or she breaks the rules of the rental agreement or neglects the rental unit. If the tenant does not correct the problem within 7 days of the written notice, you may terminate the lease and file for eviction.