



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
- Para asistencia en Espanol • (877) 851-0482

[www.attorneygeneral.delaware.gov](http://www.attorneygeneral.delaware.gov)  
Email: [Consumer.Protection@State.DE.US](mailto:Consumer.Protection@State.DE.US)

## 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](http://www.attorneygeneral.delaware.gov) (click on "Guarding Consumers") for additional information and a copy of the Landlord-Tenant Code Summary**

## 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 file for eviction. 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 or felony that threatens harm to any person or property during tenancy

As a landlord, you have many 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.

