

CHECKLIST: RESIDENTIAL LEASES

This checklist is part of a larger Manual titled “Protecting Assets and Child Custody in the Face of Deportation,” released by Appleseed in 2017. For more info and to read the full Manual, please visit www.AppleseedNetwork.org/DeportationManual.

This checklist is not legal advice. You can search for a lawyer at <http://www.aialawyer.org/>.

A lease is a contract where one person is given permission to use or rent the other person’s land or property for a certain amount of time. Leases usually cover apartment or house rentals, and can also cover businesses or pieces of equipment. This checklist will give you guidance on apartment and house leases.

- First, try to find out if you have a written lease. You may have signed one when you first moved in to the apartment or house you rent. If you do have a written lease, the process of leaving the house or apartment should be described in that document. If not, there should be guidance provided by the local laws in your city or state.
- If you need to move out and end your lease, find out how much notice you must give your landlord (in other words, how soon before moving out do you have to let them know), whether you will have to pay the remaining rent due under your lease, and how much time you will have to get your things out of the house or apartment.
- Make a copy of your keys and give them to someone you trust so that they can get your stuff out of the house or apartment if you are detained. You have the right to enter your home to remove your property within a reasonable time, usually three days or less, after a lease is ended. If you don’t remove your stuff within a reasonable time, you may owe the landlord for expenses associated with storing or disposing it.
- If you have friends or family members who want to stay in your house or apartment and continue your lease, you have three options:
 - Continue the original lease with the landlord’s permission;
 - End the original lease and start a new lease with the landlord’s permission; or
 - “Succeed” the lease through an assignment or sublease from you.

In all cases, open and honest communication with the landlord is important. If that is not possible or if you are having problems dealing with your landlord, reach out to local legal organizations for legal advice.

Remember: The plan is to have a plan. You are taking the right steps to protect your family. Don't be afraid to ask for help so you get answers you can trust: try your lawyer or caseworker, or ask your child's school or doctor's office.