
Termination of Tenancy Information Sheet

You have been given this document because you have submitted a notice to terminate your tenancy or have been given a notice of termination of tenancy. Please read this document carefully as it outlines the procedures you should follow and answers many common questions.

Q. I was given a 30- (or 60-) day notice. Am I being evicted (unlawful detainer action)?

A. No. A notice of termination of tenancy is not an unlawful detainer action. It is the landlord's legal way to ask you to move out of your residence. It does not necessarily imply that you have done anything wrong.

Q. I was given a 30- (or 60-) day notice. Do I have to pay my rent?

A. Yes. You are required to pay rent until the day your tenancy terminates. This date is listed on your termination of tenancy notice. Unless your rental agreement specifically allows it, you may not deduct your last month's rent from your security deposit. If you are given a 60-day notice to move, you are responsible for rent for the entire 60 days, unless you submit a 30-day notice to move. *If you are going to move out prior to the 60 days, you need to submit a written 30-day notice to avoid being charged the full 60 day's rent.*

Q. I gave my notice and want my landlord to deduct my last month's rent from my deposit. Is this ok?

A. No. Your contract with Heritage Property Management (HPM) clearly states your security deposit cannot be used to pay your rent. If you give a 30-day notice, you are required to pay your rent through the end of the 30 days.

Q. I was told I am entitled to a pre-inspection. What does this mean?

A. This means that within the 14 days before your last day of occupancy, your landlord will inspect your unit and give you a list of items that could result in deductions to your security deposit. You then have time to properly remedy these items before your last day of occupancy. You can also choose to waive the pre-inspection if you do not want one.

Q. It is the 5th of the month and I submitted my 30-day notice, stating that I will be out of the 30th of this month. My landlord tells me that I have to pay for five additional days of rent. Am I responsible for those five days of rent?

A. Yes. Landlords are entitled to receive rent for a full 30 days after you give your notice, no matter what time of month you submit your notice to terminate tenancy.

Q. When does my landlord have to give me a 60-day notice to move instead of a 30-day notice to move?

A. All tenants residing in a unit over one year must be given a 60-day notice. Tenants residing in a unit for less than one year can be given a 30-day notice to move.

Q. What do I do on my last day of tenancy? What do I do with my keys? Is there anything I need to give my landlord?

A. Before your last day of tenancy, you should make arrangements with your landlord to turn over your unit. You can turn over your unit in person or over the phone. If you turn over your unit in person, you will need to bring your keys to your landlord along with a letter that details the following:

- The date you are relinquishing possession of the unit
- The names of all tenants living in the unit and on the rental agreement
- A statement that you have removed all of your possessions from the unit and are returning the keys.
- The address to where you want your deposit statement mailed, and how the check should be made out (checks must be picked up in our office).
- Signatures of all tenants.

If you are turning over the unit using the phone, you must call and leave a message that you have left the keys on the counter along with a letter that lists the items above. *Do not turn over your unit in this manner unless you have confirmed that your landlord has keys to the unit. You can be charged locksmith keys if you leave the only set inside the unit.*

Q. If I'm given a notice to move or I give notice to move, can't I just move out without contacting my landlord? My landlord knows that I am moving.

A. Absolutely not! Doing so could result in a legal action against you and affect your credit report. You *must* turn over your unit as described above. California law does not allow a landlord to assume you have moved out. You must turn over your keys and provide a written statement as described above.

Q. How soon will my deposit refund/statement be available?

A. Your deposit refund and a full accounting of any deductions will be completed within 21 days of your last day of tenancy. If your landlord does not have the actual costs of all deductions, your landlord can list estimates on the deposit accounting sheet and indicate that the amounts are estimates. These estimates will be deducted from the security deposit and a check written for the balance. After your landlord has completed work on the unit and received all final invoices/receipts, a final deposit accounting will be available to you along with a check for any remaining deposit funds you are owed. **HPM requires that the check be picked up in person.** All tenants listed on the check must be present and sign for the check. Please do not call HPM before the 20th day of your last day of tenancy to check on the status of your refund.

Remember, communication with your landlord is the easiest way to make your move out process as simple as possible. Do not hesitate to call your landlord, Heritage Property Management, at 209-521-8072 with any questions.