

Montana Eviction Notice (Notice to Quit)

**Note:** You can use this form letter if the tenant rents a house, room, apartment, or mobile home from you. Do not use this form letter if the tenant owns a mobile home and rents only the lot that it sits on from you.

Date: \_\_\_\_\_ (the date you mail or hand-deliver  
the notice letter)

From (write your name and address):

\_\_\_\_\_ (name)  
\_\_\_\_\_ (street address or P.O. Box)  
\_\_\_\_\_ (city, state, ZIP)  
\_\_\_\_\_ (phone)

To (write the tenant's name and address):

\_\_\_\_\_ (name)  
\_\_\_\_\_ (street address or P.O. Box)  
\_\_\_\_\_ (city, state, ZIP)  
\_\_\_\_\_ (phone—optional)

Dear (write the name of the tenant): \_\_\_\_\_,

Please take notice that I am ending your rental of my property located at (write  
the address of the rental the tenant lives in):

\_\_\_\_\_.

You have received this notice letter because (check the box next to the  
paragraph below that fits the situation):

You have a month-to-month tenancy and I would like to end the tenancy. You must move out within **30 days** after receiving this notice. Section 70-24-441(2), MCA.

You have a week-to-week tenancy and I would like to end the tenancy. You must move out within **7 days** after receiving this notice. Section 70-24-441(1), MCA.

You have not paid your rent. You have **3 days** after you receive this notice to pay your rent in full, or to move out. Section 70-24-422, MCA. As of today, you owe me (*write the total amount due*):

Rent: \$\_\_\_\_\_

I have already given you notice of a violation of the rental agreement within the last 6 months, and you have committed this same violation again. The violation you have committed again is (*write the violation that the tenant committed*):

\_\_\_\_\_  
\_\_\_\_\_

You must move out within **5 days** after you receive this notice. Section 70-24-422(1)(e), MCA.

You have been arrested for or charged with a criminal offense that creates a reasonable potential of damage to the rental or injury to neighbors, in violation of Section 70-24-321(3), MCA. The criminal offense is (*check the box next to the criminal offense that the tenant has been arrested for or charged with*):

- Criminal production or manufacture of dangerous drugs, as prohibited by Section 45-9-110, MCA.
- Operation of an unlawful clandestine laboratory, as prohibited by Section 45-9-132, MCA.
- Gang-related activities, as prohibited by Section 45-8-401 *et seq*, MCA.

You must move out within **3 days** after you receive this notice. Section 70-24-422(4), MCA.

- You have an unauthorized pet or person living in your rental. (*Circle "person" or "pet" as it applies to the tenant.*) You have **3 days** after you receive this notice to remove the unauthorized person or pet or to move out. Section 70-24-422(1), MCA.

- You have destroyed or damaged the rental, or allowed someone else to do so, in violation of Section 70-24-321(2), MCA. This is how you destroyed or damaged the rental (*write how the tenant destroyed or damaged the rental*):

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You have **3 days** after you receive this notice to restore the rental to its previous condition, or to move out. Section 70-24-422(1)(a) and (3), MCA.

- You refused to give me lawful access to the rental property. If you do not allow me access within 24 hours of receiving this notice, you must move out within **14 days** of receiving this notice. Section 70-24-424, MCA.

- You have (*check the box next to the action the tenant has taken*):
- Removed a lock. You must put it back on within 24 hours of receiving this notice. If you do not, you must move out within **14 days** of receiving this notice. Sections 70-24-312, -422 and -424, MCA.
  - Replaced or added a lock, and you have not given me a key. You must give me a key within 24 hours of receiving this notice. If you do not, you must move out within **14 days** of receiving this notice. Sections 70-24-312, -422 and -424, MCA.
- You abandoned the rental property before the end of your rental agreement. I noticed you abandoned the rental property on (*write the date you noticed the tenant abandoned the rental property*): \_\_\_\_\_ . I have made reasonable efforts to rent the property at a fair market value. I re-rented the property to another tenant on (*write the date you re-rented the property to another tenant*): \_\_\_\_\_ . Your rental agreement ended on the day I re-rented the property. Section 70-24-426, MCA.
- You abandoned the rental property. I noticed you abandoned the rental property on (*write the date you noticed the tenant abandoned the rental property*): \_\_\_\_\_ . I have accepted your abandonment as a surrender of the property. Your rental agreement ended on the day I noticed your abandonment. Section 70-24-426, MCA.
- You have committed some other non-compliance or violation of the rental agreement, given below (*write the non-compliance or violation*):
- \_\_\_\_\_
- \_\_\_\_\_

You must fix this non-compliance or violation or move out within **14 days** after you receive this notice. Section 70-24-422(1)(d), MCA.

NOTE: If I mailed this letter to you, you may add 3 days to the date of mailing before you start counting the days in the notice period given above. For example, if I mailed a letter giving you a 3-day notice on April 2, you would not have to move out until April 8 (April 2 + 3 days mailing = April 5 + 3 days notice = April 8). If I hand-delivered this letter to you, start counting the days in the notice period on the day after you received the letter. For example, if I hand-delivered a letter giving you a 3-day notice on April 2, you would not have to move out until April 5.

If you have not fixed your lease violation or moved out in the number of days given above, I may take you to court to have you evicted.

Sincerely,

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*(sign your name)*