

MONTANA EVICTION NOTICE

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)

Re: _____ (physical address of the rental
property)

Dear (write the name of the tenant) _____:

I am sending you this letter because (check the box next to the paragraph below
that fits the situation):

- ☐ You have a month-to-month tenancy and I am ending your tenancy in 30 days. 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 am ending your tenancy in seven days. You must move out within **7 days** after receiving this notice. Section 70-24-441(1), MCA.

☐ You have not paid your rent. If you don't pay the rent due within 3 days, I am ending your tenancy. You have **3 days** after you receive this notice to pay your rent in full, or to move out. Section 70-24-422(2), MCA. As of today, you owe me:

Rent: \$_____ (*write the total amount due*)

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

☐ (*check this box if you are terminating the tenancy*) I am ending your tenancy in 5 days. You must move out within **5 days** after you receive this notice. Section 70-24-422(1)(e), MCA.

☐ (*check this box if you are allowing tenant the opportunity to remedy the violation*) You have **5 days** after you receive this notice to remedy this violation by taking this action:

If you don't remedy the violation within the 5 days, then I am ending your tenancy and you must move out within 5 days after you receive this notice. Section 70-24-422(1)(a) and -422(1)(e), MCA.

☐ You have engaged, or knowingly allowed someone else to engage in activity on the premises that creates a reasonable potential of damage or destruction to the rental or injury to neighbors, in violation of Section 70-24-321(3), MCA, including but not limited to any of the following activities (*check the box that applies*):

- ☐ 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 Title 45, chapter 8, part 4, MCA.
- ☐ Unlawful possession of a firearm, explosive, or hazardous or toxic substance.
- ☐ The following activity that is prohibited by law (*describe*):

☐ (*check this box if you are terminating the tenancy*) I am ending your tenancy, and you must move out within **3 days** after you receive this notice. Section 70-24-422(4), MCA.

☐ (*check this box if you are allowing tenant the opportunity to remedy the violation*) You have **3 days** after you receive this notice to remedy this violation by taking this action:

If you don't remedy the violation within the 3 days, then I am ending your tenancy and you must move out within 3 days after you receive this notice. Sections 70-24-422(1)(a) and -422(4), MCA.

☐ You have an unauthorized pet or person living in your rental. (*Circle “person” or “pet” as applicable.*) You have **3 days** after you receive this notice to remove the unauthorized pet or person. If you don't remedy the violation within the 3 days, then I am ending your tenancy and you must move out within 3 days after you receive this notice. Sections 70-24-422(1)(a) and (b), MCA.

☐ You have destroyed, defaced, damaged, impaired, or removed a part of the rental premises, or allowed someone else to do so, in violation of Sections 70-24-321(2) and 70-24-422(3), MCA. This is how you destroyed or damaged the rental (*write how the tenant destroyed or damaged the rental*):

☐ (*check this box if you terminating the tenancy*) I am ending your tenancy in 3 days. You must move out within **3 days** after receiving this notice.

☐ (*check this box if you are allowing tenant the opportunity to remedy the violation*) You have **3 days** after you receive this notice to restore the rental to its previous condition. If you don't restore the rental within the 3 days, then I am ending your tenancy and you must move out within 3 days after you receive this notice. Section 70-24-422(1)(a) and -422(3), MCA.

☐ You have committed some other non-compliance or violation of the rental agreement, as follows (*write the non-compliance or violation below -- could include tenant's refusal to give you lawful access to the rental, or*

tenant removing, replacing or adding a lock to the rental and not giving you a key):

☐ *(check this box if you are terminating the tenancy)* I am ending your tenancy in **14 days** after you receive this notice. Section 70-24-422(1)(d), MCA.

☐ *(check this box if you are allowing tenant the opportunity to remedy the noncompliance)* You have **14 days** after you receive this notice to remedy the noncompliance, by taking these actions:

If you don't remedy the noncompliance within the 14 days, then I am ending your tenancy and you must move out within 14 days after you receive this notice. Sections 70-24-422(1)(a) and -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. Weekends and holidays are included in the count. However, if the end date falls on a weekend or holiday, the notice period continues until the end of the weekend/holiday. Title 25, Ch. 20, Rule 6, MCA.

If you have not remedied your lease violation or moved out in the number of days given above, I may file an eviction lawsuit against you in court.

Sincerely,

(sign your name)