

If you live in Montana, this brochure will help you understand your renters' rights after a disaster. These rights don't apply if you or your guests caused the damages to your rental. You can read the law for renters' rights after a disaster for yourself at 70-24-409, MCA. You can find the laws for Montana online at [Courts.mt.gov/Library/](http://Courts.mt.gov/Library/).

**You can leave and end your lease.** If the home you are renting is damaged or destroyed by a disaster, like a fire or flood, you can end your lease right away. If you do this, you must notify your landlord that you are ending the lease within 14 days of leaving your home. Once you notify the landlord, the lease ends the day you left your home. You can find a free form to tell your landlord that you are ending the lease at [MontanaLawHelp.org](http://MontanaLawHelp.org).

**You may still get your Security Deposit back.** Once you end your lease, the landlord must return your security deposit and any rent that you have prepaid, starting from the day the disaster happened. The landlord has 30 days to give you back your security deposit and a list of all the deductions they made from the deposit.

Your landlord can only deduct money for:

- Damages caused by you or your guests,
- Unpaid rent or utilities,
- Late charges, and
- Other money you owe them.

The landlord can't deduct for repairs that need to be done because of the disaster unless you or your guest caused it to happen. Be sure to give the landlord your forwarding address when you end your lease. If the landlord won't return your deposit, your first step is to send the landlord a Security Deposit Demand letter. You find a free letter to ask for your deposit back at [MontanaLawHelp.org](http://MontanaLawHelp.org).

**You can stay in your rental.** You can only stay in your rental if it is legal to stay. You may not be able to stay if the rental has been condemned or deemed unsafe. If only part of your rental is unusable, you can move out of that part and continue to live in the rest.

**You can try to negotiate for reduced rent.** If you can only use part of your rental and decide to stay, your rent should be reduced because you cannot use all of your property. It's a good idea to try to negotiate the reduction with your landlord. If you can't come to an agreement, make sure you talk to a lawyer before you deduct anything from your rent.

**Your landlord must make any repairs caused by the disaster that affect your health and safety. Your landlord must also continue to provide essential services, like electricity and running water.**

If the landlord won't make needed repairs, your first step is to send a Request for Repairs letter. You can find our free Repairs Request letter on [MontanaLawHelp.org](http://MontanaLawHelp.org). After you ask for the repairs in writing and give your landlord a reasonable amount of time to make the repairs, if the repair costs less than one month's rent you can make the repairs yourself and deduct it from the rent. Always talk to a lawyer before you stop paying rent or deduct the costs of repairs from your rent. You can learn more about Montana's repair and deduct law at [MontanaLawHelp.org](http://MontanaLawHelp.org).

**What is the Montana Legal Services Association (MLSA)?**

MLSA is a federally and privately funded program that provides free legal assistance in civil cases to low-income people.

**What help can I find at MLSA?**

- Legal advice and representation;
- Referrals to volunteer attorneys and other providers;
- Self-help clinics and materials.

To qualify for our services, applicants generally must have income of 125% or less of the federal poverty level and limited assets. You must also be a U.S. citizen or an eligible alien.

We never charge a fee for our services. However, you may have to pay court costs and filing fees.

### What areas of law can I get help with?

- Family law,
- Landlord/tenant law,
- Housing issues,
- Debt and money problems,
- Tax problems,
- Public benefits,
- Employment law,
- Agricultural workers' legal issues,
- Indian law,
- Domestic violence,
- Sexual Assault and stalking,
- Identity theft and fraud, And
- Elder abuse.

### How do I apply for free legal help?

Montana Legal Services Association (MLSA) provides free civil legal help to low-income people. Contact us to see if you qualify:

- Apply anytime online at [mtlsa.org](http://mtlsa.org);
- Call our Helpline at 1-800-666-6899 (Helpline hours are limited).

### How do I get more help?

[www.MontanaLawHelp.org](http://www.MontanaLawHelp.org)

Need legal information or forms? Visit [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org).

Can't find what you want? Use LiveHelp. Click on the LiveHelp icon and get help finding the information you need.

[www.MTLA.org](http://www.MTLA.org)

Find copies of all our brochures online. They are all available for free download!

**Montana State Bar Association Lawyer Referral and Information Service**  
LRIS refers people to Montana lawyers. (406) 449-6577.

### State Law Library

Information about all areas of the law, including the Montana Code, legal forms, and the option to ask research questions. [www.courts.mt.gov/library](http://www.courts.mt.gov/library). 1-800-710-9827.

This pamphlet is meant to give basic legal information, not legal advice about your problem. The law changes often and each case is different. We recommend you talk to an attorney about your legal problem.

## Montana Legal Services Association

### Renters' Rights after a Disaster in Montana



Providing, protecting, and enhancing access to justice.

Rev. 06/22