INSTRUCTIONS AND EXPLANATION OF TENANT NOTICE FORMS

- These instructions are for a Tenant who wants to give a notice to their Landlord.
- The forms mentioned below are located on the Kansas Judicial Council website: www.kjc.ks.gov/legal-forms/evictions-landlord-tenant

  OR

  Use your phone's camera to scan this QR code to see the forms online. *(Click on the URL that shows up on your camera screen.)*

Instructions

Step 1: Decide which form applies to your situation and complete the form.

Step 2: Make a copy of the completed form and keep it for your records.

Step 3: Give the completed form to the Landlord. You may either:

- hand-deliver the form to the Landlord,
- post a copy of the form in a clearly visible place at the Landlord's address, or
- mail a copy of the notice to the Landlord's address.

Types of Notice Forms:

- **Tenant's Notice of Termination of Month-to Month Rental Agreement** (K.S.A. 58-2570(b))

  You may use this form when you want to terminate your month-to-month rental agreement. You must deliver this notice to the Landlord at least 30 days before the next date your rent is due, which is when your tenancy will terminate. If you are not in a month-to-month tenancy, then you cannot use this notice to terminate your rental agreement.

- **Tenant's Notice of Termination of Rental Agreement at End of Term**

  Your rental agreement may require that you give your Landlord notice that you either do or do not plan to extend your rental agreement for another term. If your rental agreement requires it, then you may use this form to give the number of days' notice required in your rental agreement.

- **Tenant's Notice of Landlord's Failure to Comply** (K.S.A. 58-2559(a))

  You may use this form when you need the Landlord to repair problems that materially affect health or safety, and you want to terminate your rental agreement and leave early, if your tenancy is longer than one month. When the Landlord receives this notice, the Landlord has 14 days to make a good faith effort to fix the problems. If the Landlord does not make a good faith effort to fix the problems within 14 days, then your rental agreement terminates on the next date your rent is due that is at least 30 days after the Landlord receives this notice. If you are in a month-to-month tenancy, you may use a Tenant's Notice of Termination of Month-to-Month Rental Agreement instead of this form.

- **Payment of Rent Under Protest forms**

  "*Payment of rent under protest*" means you keep paying rent to avoid eviction, but you think you should get some or all of it back. The reason you think you should get some or all of the rent back is that the Landlord has violated the rental agreement or with Kansas law (or both).

  - **Tenant's Notice of Payment of Rent Under Protest Because Rental Property Not Delivered or Not in Required Condition** (K.S.A. 58-2552, K.S.A. 58-2553(a), and K.S.A. 58-2560)

    You may use this form at the beginning of your tenancy, when you move in or take possession of the rental property, if the rental property violates the rental agreement or the legal duties of a Landlord, which can be found at K.S.A. 58-2553(a). You may continue to pay rent under protest until the Landlord:
    - repairs the problems,
    - you terminate the rental agreement by giving your landlord a termination notice - "Tenant's Notice of Termination Because Rental Property Not Delivered or Not in Required Condition", or
    - you file a lawsuit against the Landlord in court.

    If you do not continue to pay rent, the Landlord may try to evict you for nonpayment of rent.

- **Tenant's Notice of Payment of Rent Under Protest Due to Landlord's Failure to Maintain Property** (K.S.A. 58-2553 and K.S.A. 58-2559(b))

  You may use this form during your tenancy (after you have already moved in or taken possession of the rental property) if the Landlord does not maintain the rental property in compliance with the rental agreement or the legal duties of a Landlord. The legal duties of a Landlord can be found at K.S.A. 58-2553(a). You may continue to pay rent under protest until the Landlord repairs the problems or you file a lawsuit against the Landlord in court. If you do not continue to pay rent, the Landlord may try to evict you for nonpayment of rent.

- **Tenant's Notice of Payment of Rent Under Protest Due to Destruction by Fire or Other Substantial Damage** (K.S.A. 58-2562)

  You may use this form if there has been a natural disaster or some other major event that substantially impacts your use of all or part of the rental property. You may either:
  - leave the rental property and terminate the rental agreement (if you give this notice to the Landlord within five days after leaving), or
  - if only part of the rental property is unusable, you can leave the parts that are not usable and only pay rent for the parts that are usable.

  Before you start paying a lower amount, you should try to come to an agreement with your Landlord about the reduced rent. If you can't agree, then you may file a lawsuit against the Landlord in court and a judge will decide how much to reduce the rent.

GETTING HELP

- The Kansas Judicial Branch provides resources for people who represent themselves in court without an attorney and information about how to obtain legal help. You can find that information at self-help.kscourts.gov.

- The Kansas Bar Association may be able to connect you with a lawyer you can hire. You can find information at ksbar.org.

- Kansas Legal Services helps low- and moderate-income people in Kansas with court proceedings. Find information at kansaslegalservices.org or call (316) 267-3975.

- Kansas Elder Law Hotline serves any Kansas resident aged 60 or older without regard to income. The hotline provides senior citizens access to an attorney to advise them about legal questions in civil cases and referrals to other resources when needed. Call (888) 353-5337.

- The Kansas Residential Landlord and Tenant Act laws are K.S.A. 58-2540 through 58-2573.

- Laws about the eviction process are K.S.A. 61-3801 through 61-3808.