

## Renting an Apartment

Persons renting an apartment have various rights and duties. For example, landlords must give due notice. Tenants must also abide by certain rules. After moving in, you must register with the new municipality within 2 weeks.

### Rental Contract

In general, landlords sign a written rental contract with their tenants. It is possible to agree on an oral contract. However, this is not recommended. In any case, the rights and duties according to the Swiss Code of Obligations (Obligationenrecht) are always applicable.

### Rent

Normally, rent consists of the net rent and additional costs (Nebenkosten) (heating, warm water, etc.). Additional costs may be charged only if they are listed in the rental contract. In general, rent must be paid monthly, in advance. Landlords may raise rent only if justified. The raise must be announced in due time with an official form. If the raise does not appear justified the arbitration (Schlichtungsbehörde) is to be notified within 30 days. Landlords may request a security deposit (Kaution) equal to a maximum of 3 months rent in addition to rent. The security deposit is returned when one moves.

### Moving In

Upon moving into a new apartment it is very important that a list of deficiencies is added to the rental contract (Wohnungsabnahmeprotokoll). Landlords and tenants record existing damages to the apartment. This ensures that tenants are not made responsible for damages caused by previous tenants. Persons with pets should inquire in advance whether pets are allowed in the apartment. Please note that one must register in the new community of residence within 2 weeks of moving in.

### Damages to the Apartment

Smaller damages must be paid for by the tenant (e.g. new shower hose or soap dish). Larger damages are paid for by the landlord. If the tenant is responsible for the damage they have to pay for it themselves. For such cases one needs private liability insurance. If something breaks or if one wishes to make changes to the apartment (e.g. painting) one should contact the landlord. If larger deficiencies occur (e.g. broken heating or washing machine, construction noise, etc.) one has a right to a rent reduction until the deficiency is corrected.

## **Terminating a Rental Contract**

Landlords and tenants are only permitted to terminate a rental contract on certain dates. In Canton Appenzell Ausserrhoden the dates are March 31., June 30., and September 30. In addition, notice of termination must be given in due time. Usually, termination dates and notice periods are defined in the rental contract. The minimal notice period for apartments is 3 months. In order to terminate a contract landlords must use an official form. Tenants have 30 days in which they can appeal the decision through the arbitration authority.

## **Additional information (links, addresses, information sheets, brochures)**

[www.hallo-ar.ch/en/housing/renting-an-apartment](http://www.hallo-ar.ch/en/housing/renting-an-apartment)