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Rental Law — Your Rights as a Tenant in Germany

Rent brake, termination protection, rent increases, and defects: the most important tenant rights in Germany. Status: March 2026.

Deutsche Begriffe: Mietrecht | Mieterhöhung | Mietpreisbremse | Kündigung | Mieterverein

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Rental Law — Your Rights as a Tenant in Germany

> Status: March 2026. All information without warranty.

Rental Contract — What to Watch For?

• **Base rent + additional costs** must be clearly listed

• **Fixed-term contracts** only allowed for specific reasons (e.g., landlord's own use)

• **Notice period:** 3 months for tenants, 3–9 months for landlords (depending on tenancy duration)

• **Deposit:** Maximum 3 months' base rent, can be paid in 3 installments

• **Cosmetic repairs:** Rigid deadlines in rental contracts are void!

Mietpreisbremse (Rent Brake)

In many cities, rent on new lettings must not exceed the **customary local rent by more than 10%**. Applies in:

• Hamburg, Berlin, Munich, Cologne, Frankfurt, Stuttgart, and many other cities

• Exceptions: New buildings (after October 1, 2014), extensively modernized apartments

Rent Increases — What's Allowed?

Type	Regulation
Comparative rent	Maximum to local level, max. 20% in 3 years (cap)
Modernization	Max. 8% of costs apportionable to annual rent, max. +3 €/m² in 6 years
Graduated rent	Annual increase stipulated in contract
Index rent	Linked to consumer price index

Defects and Rent Reduction

If your apartment has defects (e.g., heating failure, mold, noise):

1. Inform landlord in writing (with deadline for remedying)

2. If not remedied: **rent reduction** possible (depending on severity: 5–100%)

3. Important: Only reduce rent after written notice of defect!

Termination by the Landlord

The landlord can only terminate for **important reasons**:

• **Own use** — they want to move in themselves

• **Serious breach of contract** — e.g., significant rent arrears (2+ months)

• **Economic use** — rare, high barriers

Notice period for landlords: 3 months (up to 5 years tenancy), 6 months (5–8 years), 9 months (8+ years).

Tenant Association — Is It Worth It?

Yes, especially as a foreigner. For around 50–100 €/year you get:

• Free legal advice

• Help with rent increases, terminations, utility bill settlements

• Legal protection (attorney costs in disputes)

Well-known associations: **Deutscher Mieterbund**, Mieterverein Hamburg/Berlin/Munich