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Termination by Landlord — Eigenbedarf, Notice Periods & Right to Object

When can a landlord terminate a lease? Eigenbedarf termination, notice periods based on tenancy duration, and your right to object.

Deutsche Begriffe: Kündigung | Eigenbedarf | Kündigungsfrist | Widerspruch | Mieterschutz | Vermieter

Tenant Protection in Germany — Strong Rights

In Germany, tenants enjoy very strong **statutory protection against termination**. A landlord can terminate a lease **only for a legally recognized reason** — and must comply with strict notice periods.

Permitted Grounds for Termination

A landlord may only terminate if:

- 1. Eigenbedarf** — the landlord needs the apartment for themselves, family members, or members of their household
- 2. Material breach of obligations** by the tenant — e.g., consistently late rent payments, serious contract violations, disturbance of domestic peace
- 3. Termination for conversion** — the landlord would suffer significant economic harm by continuing the tenancy (very rare case)

Important: "I want to renovate the apartment" or "I want to increase the rent" is **not** a permissible ground for termination.

Notice Periods — Dependent on Tenancy Duration

Tenancy Duration	Notice Period
Up to 5 years	3 months
5 to 8 years	6 months
Over 8 years	9 months

The termination must be **in writing** (letter, not email!) and must **specifically state the reason**. A termination without or with insufficient justification is **void**.

Eigenbedarf Termination — Most Common Case

For an Eigenbedarf termination, the landlord must specify:

- **Which person** needs the apartment
- **Why** the apartment is needed
- Whether **another vacant apartment** would be available in the same building (duty to offer)

False Eigenbedarf is punishable and can lead to **damages** (moving costs, rent difference, etc.).

Your Right to Object (Social Clause § 574 BGB)

Even with a lawful termination, you can **file an objection** if moving would cause you **particular hardship**:

- Advanced age or serious illness
- Pregnancy
- Unable to find suitable replacement housing
- School-age children (school change mid-year)
- Long tenancy period and strong ties to the property

The objection must be submitted **at least 2 months before the notice period expires** in writing to the landlord.

What to Do Upon Termination

- 1. Stay calm** — termination does not mean immediate eviction
- 2. Have the termination reviewed** — by a tenant association or attorney
- 3. Note the deadlines** — do not miss the objection deadline
- 4. Join a tenant association** (approx. €60-90/year) — legal advice and representation included

5. If in doubt: Do not move out hastily — without an eviction judgment, no one can force you out

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