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Mietvertrag — Rental Agreement in Germany

How to read a German rental agreement. What it must contain, what to watch out for, and how to protect yourself.

Deutsche Begriffe: Mietvertrag | Kautioin | Nebenkosten | Kaltmiete | Warmmiete

Mietvertrag — Apartment Rental Agreement

Basic Concepts

Term	Meaning
Kaltmiete	"Cold" rent (rent only)
Warmmiete	"Warm" rent (rent + utilities)
Nebenkosten	Additional fees (water, trash, cleaning)
Kautioin	Security deposit (max 3× Kaltmiete)
Betriebskosten	Operating costs

What MUST be in the agreement?

Landlord and tenant details Apartment address Rent amount (Kaltmiete) Utility fees (Nebenkosten) Security deposit amount Start date of tenancy Termination conditions

What to watch out for?

Red flags:

□ "Kaution muss vor Einzug gezahlt werden" (deposit before move-in) — You have the right to pay in 3 installments! □ "Renovierung bei Auszug" (renovations upon move-out) — If it wasn't required at move-in, you don't have to do it □ "Haustiere verboten" (pets forbidden) — Small pets (fish, hamsters) are always allowed □ Rent significantly higher than average in the area (check Mietspiegel)

□ Your rights:

- Security deposit max **3× Kaltmiete**
- Deposit can be paid in **3 installments**
- Rental termination is **3 months** (for you), longer for landlord
- Landlord CANNOT enter the apartment without consent
- You have the right to **Mieterschutzbund** (tenant protection)

Security Deposit (Kaution)

- Maximum 3× Kaltmiete
- Landlord MUST hold it in a separate account
- Refund within 6 months after move-out
- Landlord can deduct only for damage (not normal wear and tear!)

Nebenkostenabrechnung

You receive a utility bill settlement once a year. Check:

- Whether the square footage is correct
- That you're not charged for facilities you don't have (e.g., elevator on ground floor)
- You have 12 months to file a complaint!