

Landlord-Tenant Law State Compliance Table

Deposit Caps, Return Deadlines, Notice Periods & Entry Rules — ClearLegalTips.com (2026)

Landlord-tenant law is a federal floor with fifty different ceilings on top of it. The figures that cause the most disputes — how large a deposit can be, how fast it must be returned, how much notice before entry or eviction — are set state by state. Use the tables below as a starting map, then confirm the current figure with your state, because legislatures change these and cities are often stricter.

Federal Floor (Applies in Every State)

- Fair Housing Act: bans discrimination on seven protected grounds — race, color, national origin, religion, sex, familial status, and disability — and requires reasonable accommodations (including assistance animals not charged as pets).
- Lead-based paint disclosure: required for any home built before 1978, along with the EPA pamphlet.
- Implied warranty of habitability: every residential lease carries it; the tenant cannot waive it, even in writing.
- Self-help eviction is illegal everywhere: no lockouts, removing belongings, or shutting off utilities.

When a lease term conflicts with the law, the law wins. A clause that gives the tenant less than the law requires is void. A city can add stricter rules on top (rent control, longer notice, deposit interest).

Table 1 — Deposits and Nonpayment Notice by State

State	Deposit cap	Return deadline	Nonpayment notice
California	1 month's rent	21 days	3 days
Texas	No statutory cap	30 days	3 days
New York	1 month's rent	14 days	14 days
Florida	No statutory cap	15 days (no claim) / 30 (with claim)	3 days
Illinois	No state cap (Chicago rules apply)	30–45 days	5 days
Washington	No statutory cap	30 days	14 days
Massachusetts	1 month's rent	30 days	14 days
Colorado	No cap (1 month if lease is silent)	1 month (up to 60 by lease)	10 days
Georgia	No statutory cap	30 days	3 business days
Ohio	No statutory cap	30 days	3 days

State	Deposit cap	Return deadline	Nonpayment notice
Pennsylvania	2 months (first year)	30 days	10 days
Arizona	1.5 months' rent	14 business days	5 days
North Carolina	Up to 2 months	30 days	10 days
New Jersey	1.5 months' rent	30 days	3 days

Two reminders on the deposit side: where a state caps the total deposit, a pet deposit counts toward that cap; and the return-deadline clock usually starts at move-out or when the tenant gives a forwarding address.

Table 2 — Notice to Enter by State

A landlord cannot walk in unannounced. Most states set an advance-notice rule for non-emergency entry; a few leave it to the lease. Genuine emergencies (fire, flood, gas leak) never require notice.

State	Notice to enter (non-emergency)
California	24 hours (written)
Florida	24 hours
Washington	2 days (1 day to show the unit)
Oregon	24 hours
Illinois (Chicago)	48 hours under the RLTO
New York	No fixed statute; courts expect reasonable notice (24–48 hours)
Texas	No statute; set it in the lease
Massachusetts	No statute; set it in the lease

Table 3 — Late Fee Limits (Selected States)

State	Late fee limit
New York	\$50 or 5% of the rent, whichever is less
Texas	Presumed reasonable up to 12% (4 or fewer units) or 10% (more than 4)
Oregon	A reasonable flat fee, or 5% of the rent per five-day period
California	No statutory cap; must be a reasonable estimate of actual costs
Florida	No statutory cap; must be a reasonable estimate of actual costs

Wherever you are, put the late fee in the lease and keep it within the state's limit.

Rules That Apply Everywhere

Security deposits — deductions and itemization

A landlord can deduct for unpaid rent and damage beyond normal wear and tear, but not for ordinary aging. Most states require an itemized statement of any deductions within the return window. Miss the deadline or skip the itemization and many states let the tenant recover two or three times the wrongfully withheld amount plus attorney fees. Several states also require the deposit to sit in a separate or interest-bearing account.

Eviction is a court process, never self-help

The nonpayment notice in Table 1 is only the first step; a different notice applies to a lease violation (cure-or-quit) or the end of a tenancy (notice to vacate). After the notice period runs, the landlord files an unlawful-detainer case, serves the tenant, and, if they win, obtains a writ of possession that only the sheriff can execute.

Warranty of habitability

The landlord must keep the unit fit to live in: working heat, plumbing, and electricity, a weather-tight structure, hot water, and compliance with building and health codes. When a landlord fails to make a needed repair after proper notice, state law gives the tenant remedies — commonly repair-and-deduct, rent withholding into escrow, or terminating the lease. In return, the tenant must keep the unit reasonably clean, avoid causing damage, and report problems promptly.

Required disclosures and fair housing

For any property built before 1978, the lead-based paint disclosure and EPA pamphlet are required, with steep penalties for skipping them. States add their own — mold, flood zone, bed-bug history, and the identity of the owner or agent. A blanket policy that disproportionately excludes a protected class can violate the Fair Housing Act even without intent, so screen consistently and document why.

My State Worksheet — Confirm Before You Collect or Serve

Look up the current figures for your state and city, then fill these in and keep them with your lease file.

My state: _____

My city / county (stricter local rules?): _____

Deposit cap (state / local): _____

Deposit return deadline: _____

Itemized-statement requirement

(deadline): _____

Separate / interest-bearing account

required?: _____

Nonpayment (pay-or-quit) notice period: _____

Cure-or-quit notice period (lease

violation): _____

Notice to vacate (end of tenancy): _____

Notice to enter (non-emergency): _____

Late fee limit: _____

Required disclosures (lead paint, mold, flood, owner ID, other): _____

Local protected classes beyond federal (source of income, etc.): _____

Date figures confirmed / source: _____

INSTRUCTIONS FOR USE

How to use this table: These figures are a starting map, not legal advice — laws change and cities are often stricter than the state. Find your state in Tables 1–3, then verify each number against your state's current statute or housing authority before you collect a deposit, set a late fee, or serve any notice.

Record what you confirm in the 'My State Worksheet' and date it. When a lease term conflicts with the law, the law controls, so match your lease and notices to the confirmed figures.

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