

Renting an Apartment

People renting an apartment have various rights and duties. For example, landlords must give due notice. Tenants must also abide by certain rules.

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) (e.g. 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, you can contact the canton's arbitration authority (Schlichtungsbehörde) within 30 days.

Landlords may request a security deposit (Kaution) equal to a maximum of 3 months rent in addition to the rent. The security deposit is returned when you move out. As a tenant, it is possible in certain situations to request a rent reduction (Mietzinssenkung) from the landlord by registered letter. This is the case, for example, if the basis for calculating the rent has changed significantly.

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

Tenants have to terminate an open-ended rental contract for their apartment in good time. The notice period is typically three months. Termination usually occurs to the end of the month (excluding December 31st). Usually, termination dates and notice periods are defined in the rental contract. The landlord must receive the notice of termination in good time, no later than one day before the beginning of the notice period (Kündigungsfrist). It is recommended to send the notice of termination by registered letter (Einschreiben). 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-baselstadt.ch/en/housing/renting-an-apartment