

Montana

Landlord-Tenant Compliance Guide

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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in Montana. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 103 compliance requirements across 15 categories

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1. ACCESS & ENTRY

- **1. Landlord Entry Rights (MCA § 70-24-312(1))**
■ *Legal Reference:* [MCA § 70-24-312\(1\)](#) (click to view statute)
- **2. Entry Notice Requirements (MCA § 70-24-312(3))**
■ *Legal Reference:* [MCA § 70-24-312\(3\)](#) (click to view statute)
- **3. Emergency Entry (MCA § 70-24-312(2))**
■ *Legal Reference:* [MCA § 70-24-312\(2\)](#) (click to view statute)
- **4. Entry for Showings (MCA § 70-24-312(1)(d))**
■ *Legal Reference:* [MCA § 70-24-312\(1\)\(d\)](#) (click to view statute)
- **5. Entry for Repairs (MCA § 70-24-312(1)(b); § 70-24-425)**
■ *Legal Reference:* [MCA § 70-24-312\(1\)\(b\); § 70-24-425](#) (click to view statute)
- **6. Tenant Privacy Rights / Lock Changes (MCA § 70-24-312; § 70-24-428)**
■ *Legal Reference:* [MCA § 70-24-312; § 70-24-428](#) (click to view statute)

2. CORE LEASE REQUIREMENTS

- **1. Lease Formation & Disclosures (MCA § 70-24-301; § 70-24-303)**
■ *Legal Reference:* [MCA § 70-24-301; § 70-24-303](#) (click to view statute)
- **2. Written Lease Requirements (MCA § 70-24-201; § 70-24-202)**
■ *Legal Reference:* [MCA § 70-24-201; § 70-24-202](#) (click to view statute)
- **3. Lease Language Requirements - Prohibited Provisions (MCA § 70-24-203)**
■ *Legal Reference:* [MCA § 70-24-203](#) (click to view statute)
- **4. Move-In Inspection / Property Condition Statement (MCA § 70-25-206)**
■ *Legal Reference:* [MCA § 70-25-206](#) (click to view statute)
- **5. Lease Renewal (MCA § 70-24-441)**
■ *Legal Reference:* [MCA § 70-24-441](#) (click to view statute)
- **6. Lease Termination (MCA § 70-24-441)**
■ *Legal Reference:* [MCA § 70-24-441](#) (click to view statute)

● **7. Early Termination (MCA § 70-24-422; § 70-24-441)**

■ *Legal Reference:* [MCA § 70-24-422; § 70-24-441](#) (click to view statute)

3. EVICTION & TERMINATION

● **1. Notice to Quit for Nonpayment (MCA § 70-24-422(2))**

■ *Legal Reference:* [MCA § 70-24-422\(2\)](#) (click to view statute)

● **2. Notice for Lease Violations (MCA § 70-24-422(1))**

■ *Legal Reference:* [MCA § 70-24-422\(1\)](#) (click to view statute)

● **3. Notice for No-Cause Termination (MCA § 70-24-441)**

■ *Legal Reference:* [MCA § 70-24-441](#) (click to view statute)

● **4. Eviction Procedures (MCA § 70-27-101 et seq.)**

■ *Legal Reference:* [MCA § 70-27-101 et seq.](#) (click to view statute)

● **5. Self-Help Eviction Prohibitions (MCA § 70-24-411; § 70-24-428)**

■ *Legal Reference:* [MCA § 70-24-411; § 70-24-428](#) (click to view statute)

● **6. Tenant Defenses in Eviction (MCA § 70-24-411; § 70-24-431)**

■ *Legal Reference:* [MCA § 70-24-411; § 70-24-431](#) (click to view statute)

● **7. Holdover Tenants (MCA § 70-24-429)**

■ *Legal Reference:* [MCA § 70-24-429](#) (click to view statute)

● **8. Abandoned Property (MCA § 70-24-430)**

■ *Legal Reference:* [MCA § 70-24-430](#) (click to view statute)

● **9. Absence and Abandonment (MCA § 70-24-426)**

■ *Legal Reference:* [MCA § 70-24-426](#) (click to view statute)

4. FAIR HOUSING & DISCRIMINATION

● **1. Protected Classes (MCA § 49-2-305 (Montana Human Rights Act); Federal Fair Housing Act (42 U.S.C. § 3604))**

■ *Legal Reference:* [MCA § 49-2-305 \(Montana Human Rights Act\); Federal Fair Housing Act \(42 U.S.C. § 3604\)](#) (click to view statute)

● **2. Reasonable Accommodations** (MCA § 49-2-305; Federal FHA)

■ *Legal Reference:* [MCA § 49-2-305; Federal FHA](#) (click to view statute)

● **3. Familial Status** (MCA § 49-2-305; § 49-2-305(12))

■ *Legal Reference:* [MCA § 49-2-305; § 49-2-305\(12\)](#) (click to view statute)

● **4. Source of Income** (No Montana statute protecting source of income)

■ *Legal Reference:* [No Montana statute protecting source of income](#)

● **5. Criminal History Screening** (No specific Montana statute)

■ *Legal Reference:* [No specific Montana statute](#) (click to view statute)

● **6. Immigration Status** (No specific Montana statute)

■ *Legal Reference:* [No specific Montana statute](#)

5. FINANCIAL TERMS

● **1. Rent Amount & Payment** (MCA § 70-26-109; § 70-24-201)

■ *Legal Reference:* [MCA § 70-26-109; § 70-24-201](#) (click to view statute)

● **2. Rent Increases** (MCA § 70-26-109)

■ *Legal Reference:* [MCA § 70-26-109](#) (click to view statute)

● **3. Late Fees** (No specific Montana statute limiting late fees)

■ *Legal Reference:* [No specific Montana statute limiting late fees](#)

● **4. NSF/Bounced Check Fees** (MCA § 27-1-717 (civil bad check statutes))

■ *Legal Reference:* [MCA § 27-1-717 \(civil bad check statutes\)](#) (click to view statute)

● **5. Application Fees** (No specific Montana statute)

■ *Legal Reference:* [No specific Montana statute](#)

● **6. Move-In Fees** (MCA § 70-25-101(4))

■ *Legal Reference:* [MCA § 70-25-101\(4\)](#) (click to view statute)

● **7. Pet Fees & Deposits** (MCA § 70-25-101(4))

■ *Legal Reference:* [MCA § 70-25-101\(4\)](#) (click to view statute)

● **8. Utilities** (MCA § 70-24-303; § 70-24-428)

■ *Legal Reference:* [MCA § 70-24-303; § 70-24-428](#) (click to view statute)

6. LOCAL ORDINANCES

● **1. Billings (Billings City Code)**

■ *Legal Reference:* [Billings City Code](#) (click to view statute)

● **2. Missoula (Missoula Municipal Code)**

■ *Legal Reference:* [Missoula Municipal Code](#) (click to view statute)

● **3. Bozeman (Bozeman Municipal Code)**

■ *Legal Reference:* [Bozeman Municipal Code](#) (click to view statute)

● **4. Great Falls (Great Falls City Code)**

■ *Legal Reference:* [Great Falls City Code](#) (click to view statute)

● **5. Helena (State Capital) (Helena City Code)**

■ *Legal Reference:* [Helena City Code](#) (click to view statute)

● **6. HOA/Condo Rules (MCA Title 70, Chapter 23 (Unit Ownership Act - Condominiums))**

■ *Legal Reference:* [MCA Title 70, Chapter 23 \(Unit Ownership Act - Condominiums\)](#) (click to view statute)

● **7. Zoning Compliance (Local zoning ordinances)**

■ *Legal Reference:* [Local zoning ordinances](#)

7. PET POLICIES

● **1. Pet Permissions (No specific Montana statute; contractual)**

■ *Legal Reference:* [No specific Montana statute; contractual](#) (click to view statute)

● **2. Pet Deposits & Fees (MCA § 70-25-101(4))**

■ *Legal Reference:* [MCA § 70-25-101\(4\)](#) (click to view statute)

● **3. Pet Rent (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **4. Breed Restrictions (No specific state statute)**

■ *Legal Reference:* [No specific state statute](#)

- **5. Service Animals (Federal - ADA (42 U.S.C. § 12101 et seq.); Fair Housing Act (42 U.S.C. § 3604))**

■ *Legal Reference:* [Federal - ADA \(42 U.S.C. § 12101 et seq.\); Fair Housing Act \(42 U.S.C. § 3604\)](#) (click to view statute)

- **6. Emotional Support Animals (ESAs) (Fair Housing Act; HUD guidance)**

■ *Legal Reference:* [Fair Housing Act; HUD guidance](#) (click to view statute)

- **7. Pet Addendums (No specific statute; contractual best practice)**

■ *Legal Reference:* [No specific statute; contractual best practice](#)

- **8. Pet Damage Liability (MCA § 70-25-201(1); general contract law)**

■ *Legal Reference:* [MCA § 70-25-201\(1\); general contract law](#) (click to view statute)

8. PROPERTY CONDITIONS

- **1. Habitability Standards (MCA § 70-24-303)**

■ *Legal Reference:* [MCA § 70-24-303](#) (click to view statute)

- **2. Essential Services (MCA § 70-24-408)**

■ *Legal Reference:* [MCA § 70-24-408](#) (click to view statute)

- **3. Repair & Maintenance (MCA § 70-24-303; § 70-24-406)**

■ *Legal Reference:* [MCA § 70-24-303; § 70-24-406](#) (click to view statute)

- **4. Repair & Deduct (MCA § 70-24-406; § 70-24-408)**

■ *Legal Reference:* [MCA § 70-24-406; § 70-24-408](#) (click to view statute)

- **5. Constructive Eviction (MCA § 70-24-406; § 70-24-409)**

■ *Legal Reference:* [MCA § 70-24-406; § 70-24-409](#) (click to view statute)

- **6. Mold Disclosure (MCA § 70-16-703 (Montana Mold Disclosure Act))**

■ *Legal Reference:* [MCA § 70-16-703 \(Montana Mold Disclosure Act\)](#) (click to view statute)

- **7. Lead-Based Paint (Federal - 42 U.S.C. § 4852d (Residential Lead-Based Paint Hazard Reduction Act))**

■ *Legal Reference:* [Federal - 42 U.S.C. § 4852d \(Residential Lead-Based Paint Hazard Reduction Act\)](#) (click to view statute)

- **8. Methamphetamine Contamination Disclosure (MCA § 75-10-1305; § 75-10-1303)**

■ *Legal Reference:* [MCA § 75-10-1305; § 75-10-1303](#) (click to view statute)

● **9. Radon Disclosure** (No Montana statute requiring radon disclosure)

■ *Legal Reference:* [No Montana statute requiring radon disclosure](#) (click to view statute)

● **10. Smoke & Carbon Monoxide Detectors** (MCA § 70-24-303(1)(f) (landlord maintenance); MCA § 50-60-603 (CO detectors))

■ *Legal Reference:* [MCA § 70-24-303\(1\)\(f\) \(landlord maintenance\); MCA § 50-60-603 \(CO detectors\)](#) (click to view statute)

9. PROPERTY MANAGEMENT SPECIFIC

● **1. Licensing Requirements** (MCA § 37-51-103; § 37-51-321; ARM 24.210.426)

■ *Legal Reference:* [MCA § 37-51-103; § 37-51-321; ARM 24.210.426](#) (click to view statute)

● **2. Trust Account Requirements** (ARM 24.210.426)

■ *Legal Reference:* [ARM 24.210.426](#) (click to view statute)

● **3. Property Manager Disclosure** (MCA § 70-24-301)

■ *Legal Reference:* [MCA § 70-24-301](#) (click to view statute)

● **4. Owner Disclosure** (MCA § 70-24-301)

■ *Legal Reference:* [MCA § 70-24-301](#) (click to view statute)

● **5. Property Management Forms Requirements** (ARM 24.210.426)

■ *Legal Reference:* [ARM 24.210.426](#) (click to view statute)

10. REPORTING & DOCUMENTATION

● **1. Record Retention** (General business practice; licensing requirements)

■ *Legal Reference:* [General business practice; licensing requirements](#) (click to view statute)

● **2. Rent Payment Records** (General business practice)

■ *Legal Reference:* [General business practice](#)

● **3. Maintenance Logs** (General business practice; MCA § 70-24-303 (repair duty))

■ *Legal Reference:* [General business practice; MCA § 70-24-303 \(repair duty\)](#)

- **4. Inspection Reports** (MCA § 70-25-206 (condition statement); § 70-25-201(2) (pre-termination inspection))

■ *Legal Reference:* [MCA § 70-25-206 \(condition statement\); § 70-25-201\(2\) \(pre-termination inspection\)](#) (click to view statute)

- **5. Lead Paint Records** (Federal - 42 U.S.C. § 4852d)

■ *Legal Reference:* [Federal - 42 U.S.C. § 4852d](#) (click to view statute)

- **6. Tax Reporting** (IRS requirements)

■ *Legal Reference:* [IRS requirements](#) (click to view statute)

11. RETALIATION & HARASSMENT

- **1. Anti-Retaliation** (MCA § 70-24-431)

■ *Legal Reference:* [MCA § 70-24-431](#) (click to view statute)

- **2. Harassment Prohibitions** (MCA § 70-24-312; § 70-24-411)

■ *Legal Reference:* [MCA § 70-24-312; § 70-24-411](#) (click to view statute)

- **3. Privacy Violations** (MCA § 70-24-312)

■ *Legal Reference:* [MCA § 70-24-312](#) (click to view statute)

12. SECURITY DEPOSITS

- **1. Security Deposit Limits** (MCA § 70-25-101)

■ *Legal Reference:* [MCA § 70-25-101](#) (click to view statute)

- **2. Security Deposit Storage** (No specific statute)

■ *Legal Reference:* [No specific statute](#)

- **3. Security Deposit Return** (MCA § 70-25-202)

■ *Legal Reference:* [MCA § 70-25-202](#) (click to view statute)

- **4. Allowable Deductions** (MCA § 70-25-201(1))

■ *Legal Reference:* [MCA § 70-25-201\(1\)](#) (click to view statute)

- **5. Itemization Requirements** (MCA § 70-25-202(1)(a))

■ *Legal Reference:* [MCA § 70-25-202\(1\)\(a\)](#) (click to view statute)

● **6. Penalties for Wrongful Withholding (MCA § 70-25-203; § 70-25-204)**

■ *Legal Reference: [MCA § 70-25-203; § 70-25-204](#) (click to view statute)*

● **7. Walk-Through Inspections (MCA § 70-25-201(2))**

■ *Legal Reference: [MCA § 70-25-201\(2\)](#) (click to view statute)*

● **8. Cleaning Charge Notice Requirement (MCA § 70-25-201(3))**

■ *Legal Reference: [MCA § 70-25-201\(3\)](#) (click to view statute)*

13. SPECIAL PROPERTY TYPES

● **1. Mobile Homes (MCA Title 70, Chapter 33 (Montana Residential Mobile Home Lot Rental Act))**

■ *Legal Reference: [MCA Title 70, Chapter 33 \(Montana Residential Mobile Home Lot Rental Act\)](#) (click to view statute)*

● **2. Subsidized Housing (Federal requirements; MCA § 70-24-104 (exclusions))**

■ *Legal Reference: [Federal requirements; MCA § 70-24-104 \(exclusions\)](#) (click to view statute)*

● **3. Short-Term Rentals (No specific state statute; local ordinances vary)**

■ *Legal Reference: [No specific state statute; local ordinances vary](#)*

14. SPECIAL SITUATIONS

● **1. Domestic Violence (MCA § 70-24-111; federal VAWA)**

■ *Legal Reference: [MCA § 70-24-111; federal VAWA](#) (click to view statute)*

● **2. Military Service (SCRA) (Federal - Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.))**

■ *Legal Reference: [Federal - Servicemembers Civil Relief Act \(50 U.S.C. § 3901 et seq.\)](#) (click to view statute)*

● **3. Death of Tenant (MCA § 70-24-441; general contract law)**

■ *Legal Reference: [MCA § 70-24-441; general contract law](#)*

● **4. Fire/Casualty Loss (MCA § 70-24-409)**

■ *Legal Reference: [MCA § 70-24-409](#) (click to view statute)*

● **5. Foreclosure (Federal - Protecting Tenants at Foreclosure Act (PTFA))**

■ *Legal Reference: [Federal - Protecting Tenants at Foreclosure Act \(PTFA\)](#) (click to view statute)*

● **6. Tenant Duties (MCA § 70-24-321)**

■ *Legal Reference:* [MCA § 70-24-321](#) (click to view statute)

● **7. Landlord's Duty to Supply Keys (MCA § 70-24-312(4))**

■ *Legal Reference:* [MCA § 70-24-312\(4\)](#) (click to view statute)

● **8. Attorney Fees (MCA § 70-24-442)**

■ *Legal Reference:* [MCA § 70-24-442](#) (click to view statute)

● **9. Good Faith Obligation (MCA § 70-24-109)**

■ *Legal Reference:* [MCA § 70-24-109](#) (click to view statute)

15. TENANT RIGHTS

● **1. Quiet Enjoyment (MCA § 70-24-303; § 70-24-312)**

■ *Legal Reference:* [MCA § 70-24-303; § 70-24-312](#) (click to view statute)

● **2. Guest Policies (No specific statute; MCA § 70-24-422(1)(c) (unauthorized occupants))**

■ *Legal Reference:* [No specific statute; MCA § 70-24-422\(1\)\(c\) \(unauthorized occupants\)](#) (click to view statute)

● **3. Subletting & Assignment (MCA § 70-24-305)**

■ *Legal Reference:* [MCA § 70-24-305](#) (click to view statute)

● **4. Tenant Organizing (MCA § 70-24-431 (anti-retaliation))**

■ *Legal Reference:* [MCA § 70-24-431 \(anti-retaliation\)](#) (click to view statute)

● **5. Withholding Rent (MCA § 70-24-421)**

■ *Legal Reference:* [MCA § 70-24-421](#) (click to view statute)

● **6. Firearm Possession (MCA § 70-24-110)**

■ *Legal Reference:* [MCA § 70-24-110](#) (click to view statute)

● **7. No Contact Orders (MCA § 70-24-111)**

■ *Legal Reference:* [MCA § 70-24-111](#) (click to view statute)

● **8. Removal of Unauthorized Persons/Trespassers (MCA § 70-24-113)**

■ *Legal Reference:* [MCA § 70-24-113](#) (click to view statute)

Severity Indicators:

- Critical requirement (must comply)
- Important guideline (should follow)
- Standard information (good to know)

■■ LOCAL ORDINANCES & MUNICIPAL REQUIREMENTS

Note: The following requirements are specific to certain municipalities or counties within the state and may differ from or supplement statewide regulations. Always verify local requirements with your city or county government.

● 1. Billings (Billings City Code)

■ *Legal Reference:* [Billings City Code](#)

● 2. Missoula (Missoula Municipal Code)

■ *Legal Reference:* [Missoula Municipal Code](#)

● 3. Bozeman (Bozeman Municipal Code)

■ *Legal Reference:* [Bozeman Municipal Code](#)

● 4. Great Falls (Great Falls City Code)

■ *Legal Reference:* [Great Falls City Code](#)

● 5. Helena (State Capital) (Helena City Code)

■ *Legal Reference:* [Helena City Code](#)

● 6. HOA/Condo Rules (MCA Title 70, Chapter 23 (Unit Ownership Act - Condominiums))

■ *Legal Reference:* [MCA Title 70, Chapter 23 \(Unit Ownership Act - Condominiums\)](#)

● 7. Zoning Compliance (Local zoning ordinances)

■ *Legal Reference:* [Local zoning ordinances](#)

For the most current information, always consult official state sources.

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■ Questions or need legal review? Contact: **support@enCompliance.com**

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