

North Dakota

Landlord-Tenant Compliance Guide

Generated: October 01, 2026 • Verified as of: October 01, 2026
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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in North Dakota. 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 17 categories

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1. ABANDONMENT & PROPERTY

● **1. Abandoned Property** (NDCC § 47-16-30.1)

■ *Legal Reference:* [NDCC § 47-16-30.1](#) (click to view statute)

● **2. Abandoned Unit Determination** (No specific statute)

■ *Legal Reference:* *No specific statute*

● **3. Sale of Abandoned Property** (NDCC § 47-16-30.1)

■ *Legal Reference:* [NDCC § 47-16-30.1](#) (click to view statute)

2. CORE LEASE REQUIREMENTS

● **1. Lease Formation & Disclosures** (NDCC § 47-16-07.2)

■ *Legal Reference:* [NDCC § 47-16-07.2](#) (click to view statute)

● **2. Written Lease Requirements** (NDCC § 47-16-01, North Dakota Statute of Frauds)

■ *Legal Reference:* [NDCC § 47-16-01, North Dakota Statute of Frauds](#) (click to view statute)

● **3. Lease Language Requirements** (No specific statute)

■ *Legal Reference:* *No specific statute*

● **4. Lease Addendums** (Various NDCC § 47-16 sections)

■ *Legal Reference:* [Various NDCC § 47-16 sections](#) (click to view statute)

● **5. Lease Renewal** (NDCC § 47-16-06, § 47-16-06.1)

■ *Legal Reference:* [NDCC § 47-16-06, § 47-16-06.1](#) (click to view statute)

● **6. Lease Termination** (NDCC § 47-16-15)

■ *Legal Reference:* [NDCC § 47-16-15](#) (click to view statute)

● **7. Early Termination** (NDCC § 47-16-17.1 (Domestic Violence), NDCC § 47-16-13)

■ *Legal Reference:* [NDCC § 47-16-17.1 \(Domestic Violence\), NDCC § 47-16-13](#) (click to view statute)

3. ENTRY & ACCESS

- 1. Landlord Right of Entry (NDCC § 47-16-07.3)
■ Legal Reference: [NDCC § 47-16-07.3 \(click to view statute\)](#)
- 2. Notice Requirements for Entry (NDCC § 47-16-07.3)
■ Legal Reference: [NDCC § 47-16-07.3 \(click to view statute\)](#)
- 3. Emergency Entry (NDCC § 47-16-07.3)
■ Legal Reference: [NDCC § 47-16-07.3 \(click to view statute\)](#)
- 4. Tenant Extended Absence (No specific statute)
■ Legal Reference: *No specific statute*

4. EVICTION PROCEDURES

- 1. Grounds for Eviction (NDCC § 47-32-01)
■ Legal Reference: [NDCC § 47-32-01 \(click to view statute\)](#)
- 2. Eviction Notice Requirements (NDCC § 47-32-01, § 47-32-02)
■ Legal Reference: [NDCC § 47-32-01, § 47-32-02 \(click to view statute\)](#)
- 3. Eviction Timeline (NDCC § 47-32-02, § 47-32-04)
■ Legal Reference: [NDCC § 47-32-02, § 47-32-04 \(click to view statute\)](#)
- 4. Court Eviction Process (NDCC § 47-32-02)
■ Legal Reference: [NDCC § 47-32-02 \(click to view statute\)](#)
- 5. Tenant Defenses to Eviction (NDCC § 47-16-13, § 47-32-02)
■ Legal Reference: [NDCC § 47-16-13, § 47-32-02 \(click to view statute\)](#)
- 6. Self-Help Eviction Prohibited (NDCC § 32-03-29)
■ Legal Reference: [NDCC § 32-03-29 \(click to view statute\)](#)
- 7. Eviction During Winter (No seasonal restrictions)
■ Legal Reference: *No seasonal restrictions*
- 8. Writ of Execution (NDCC § 47-32-04)
■ Legal Reference: [NDCC § 47-32-04 \(click to view statute\)](#)

5. FAIR HOUSING & DISCRIMINATION

- 1. Federal Fair Housing Act (Federal law (42 USC § 3604))
■ Legal Reference: [Federal law \(42 USC § 3604\)](#) (click to view statute)
- 2. North Dakota Fair Housing Act (NDCC § 14-02.5 (Housing Discrimination Act))
■ Legal Reference: [NDCC § 14-02.5 \(Housing Discrimination Act\)](#) (click to view statute)
- 3. Disability Accommodations (NDCC § 14-02.5, Federal Fair Housing Act)
■ Legal Reference: [NDCC § 14-02.5, Federal Fair Housing Act](#) (click to view statute)
- 4. Service & Assistance Animals (NDCC § 47-16-07.1, NDCC § 14-02.5, Federal FHA)
■ Legal Reference: [NDCC § 47-16-07.1, NDCC § 14-02.5, Federal FHA](#) (click to view statute)
- 5. Familial Status (Children) (NDCC § 14-02.5, Federal Fair Housing Act)
■ Legal Reference: [NDCC § 14-02.5, Federal Fair Housing Act](#) (click to view statute)
- 6. Discriminatory Advertising (NDCC § 14-02.5-03)
■ Legal Reference: [NDCC § 14-02.5-03](#) (click to view statute)
- 7. Discriminatory Screening (NDCC § 14-02.5, Federal Fair Housing Act)
■ Legal Reference: [NDCC § 14-02.5, Federal Fair Housing Act](#) (click to view statute)
- 8. Retaliation Prohibited (Limited state statute, case law)
■ Legal Reference: [Limited state statute, case law](#) (click to view statute)
- 9. Housing Discrimination Complaints (NDCC § 14-02.5)
■ Legal Reference: [NDCC § 14-02.5](#) (click to view statute)

6. FINANCIAL TERMS

- 1. Rent Amount & Payment (NDCC § 47-16-20)
■ Legal Reference: [NDCC § 47-16-20](#) (click to view statute)
- 2. Rent Increases (NDCC § 47-16-07, § 47-16-02.1)
■ Legal Reference: [NDCC § 47-16-07, § 47-16-02.1](#) (click to view statute)
- 3. Late Fees (No specific statute)

■ *Legal Reference: No specific statute*

● **4. NSF/Bounced Check Fees (No specific statute)**

■ *Legal Reference: No specific statute*

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

■ *Legal Reference: No specific statute*

● **6. Move-In Fees (No specific statute)**

■ *Legal Reference: No specific statute*

● **7. Pet Fees & Deposits (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **8. Utilities (NDCC § 47-16-13.1)**

■ *Legal Reference: [NDCC § 47-16-13.1](#) (click to view statute)*

7. HABITABILITY & MAINTENANCE

● **1. Implied Warranty of Habitability (NDCC § 47-16-13.1)**

■ *Legal Reference: [NDCC § 47-16-13.1](#) (click to view statute)*

● **2. Landlord Repair Obligations (NDCC § 47-16-13.1)**

■ *Legal Reference: [NDCC § 47-16-13.1](#) (click to view statute)*

● **3. Tenant Repair & Maintenance Duties (NDCC § 47-16-13.2)**

■ *Legal Reference: [NDCC § 47-16-13.2](#) (click to view statute)*

● **4. Repair & Deduct (NDCC § 47-16-13)**

■ *Legal Reference: [NDCC § 47-16-13](#) (click to view statute)*

● **5. Emergency Repairs (NDCC § 47-16-13.1)**

■ *Legal Reference: [NDCC § 47-16-13.1](#) (click to view statute)*

● **6. Mold Disclosure & Remediation (No specific statute)**

■ *Legal Reference: No specific statute*

● **7. Lead Paint Disclosure (Federal requirement (42 USC § 4852d))**

■ *Legal Reference: [Federal requirement \(42 USC § 4852d\)](#) (click to view statute)*

● **8. Bed Bug Disclosure & Treatment (No specific statute)**

■ *Legal Reference: No specific statute*

● **9. Carbon Monoxide Detectors (No specific statute)**

■ *Legal Reference: No specific statute*

● **10. Smoke Detectors (NDCC § 47-16-13.1)**

■ *Legal Reference: [NDCC § 47-16-13.1](#) (click to view statute)*

8. KEYS & LOCKS

● **1. Lock Changes (No specific statute)**

■ *Legal Reference: No specific statute*

● **2. Key Deposits (No specific statute)**

■ *Legal Reference: No specific statute*

● **3. Lockouts (NDCC § 32-03-29)**

■ *Legal Reference: [NDCC § 32-03-29](#) (click to view statute)*

9. LEASE TERMS & CONDITIONS

● **1. Joint & Several Liability (NDCC § 47-16 (general lease law))**

■ *Legal Reference: [NDCC § 47-16 \(general lease law\)](#) (click to view statute)*

● **2. Subletting & Assignment (No specific statute)**

■ *Legal Reference: No specific statute*

● **3. Lease Breaking Penalties (No specific statute)**

■ *Legal Reference: No specific statute*

● **4. Automatic Renewal Clauses (NDCC § 47-16-06.1)**

■ *Legal Reference: [NDCC § 47-16-06.1](#) (click to view statute)*

● **5. Lease Modification (NDCC § 47-16-07)**

■ *Legal Reference: [NDCC § 47-16-07](#) (click to view statute)*

● **6. Lease Termination by Tenant (NDCC § 47-16-15)**

■ *Legal Reference:* [NDCC § 47-16-15](#) (click to view statute)

● **7. Holdover Tenants** (NDCC § 47-32-01, § 47-16-06)

■ *Legal Reference:* [NDCC § 47-32-01](#), [§ 47-16-06](#) (click to view statute)

10. LOCAL ORDINANCES

● **1. City-Specific Requirements** (Various local ordinances)

■ *Legal Reference:* [Various local ordinances](#)

● **2. HOA Rules** (No specific statute)

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

● **3. Condo Association Rules** (NDCC § 47-04.1 (Condominium Act))

■ *Legal Reference:* [NDCC § 47-04.1 \(Condominium Act\)](#) (click to view statute)

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

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

11. OCCUPANCY & GUESTS

● **1. Occupancy Limits** (No specific state statute; local codes)

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

● **2. Unauthorized Occupants** (General lease law)

■ *Legal Reference:* [General lease law](#)

● **3. Guest Policies** (No specific statute)

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

12. PET POLICIES

● **1. Pet Deposits & Fees** (NDCC § 47-16-07.1)

■ *Legal Reference:* [NDCC § 47-16-07.1](#) (click to view statute)

● **2. Pet Restrictions** (No specific statute)

■ *Legal Reference: No specific statute*

● **3. Pet Addendum Requirements (No specific statute)**

■ *Legal Reference: No specific statute*

● **4. Emotional Support Animals (Federal Fair Housing Act, ADA)**

■ *Legal Reference: [Federal Fair Housing Act, ADA](#) (click to view statute)*

13. PROPERTY MANAGEMENT

● **1. Property Manager Licensing (North Dakota Real Estate License Law)**

■ *Legal Reference: [North Dakota Real Estate License Law](#) (click to view statute)*

● **2. Trust Account Requirements (North Dakota Real Estate Commission regulations)**

■ *Legal Reference: [North Dakota Real Estate Commission regulations](#) (click to view statute)*

● **3. Property Management Agreement (General contract law)**

■ *Legal Reference: General contract law*

● **4. Owner Disclosure Requirements (No specific statute)**

■ *Legal Reference: No specific statute*

14. REPORTING & DOCUMENTATION

● **1. Record Retention (General business practice)**

■ *Legal Reference: General business practice*

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

■ *Legal Reference: General business practice*

● **3. Maintenance Logs (General business practice, NDCC § 47-16-13.1)**

■ *Legal Reference: General business practice, NDCC § 47-16-13.1*

● **4. Inspection Reports (NDCC § 47-16-07.2 (move-in checklist))**

■ *Legal Reference: [NDCC § 47-16-07.2 \(move-in checklist\)](#) (click to view statute)*

● **5. Lead Registry (Federal requirement (42 USC § 4852d))**

■ *Legal Reference: [Federal requirement \(42 USC § 4852d\)](#) (click to view statute)*

● **6. Bedbug Registry (No North Dakota requirement)**

■ *Legal Reference: [No North Dakota requirement](#)*

15. SECURITY DEPOSITS

● **1. Security Deposit Limits (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **2. Security Deposit Storage (NDCC § 47-16-07.1(2))**

■ *Legal Reference: [NDCC § 47-16-07.1\(2\)](#) (click to view statute)*

● **3. Security Deposit Return (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **4. Allowable Deductions (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **5. Itemization Requirements (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **6. Penalties for Wrongful Withholding (NDCC § 47-16-07.1)**

■ *Legal Reference: [NDCC § 47-16-07.1](#) (click to view statute)*

● **7. Interest on Security Deposits (NDCC § 47-16-07.1(3)(c))**

■ *Legal Reference: [NDCC § 47-16-07.1\(3\)\(c\)](#) (click to view statute)*

16. SPECIAL TENANT CATEGORIES

● **1. Military Tenant Protections (Federal Servicemembers Civil Relief Act (SCRA))**

■ *Legal Reference: [Federal Servicemembers Civil Relief Act \(SCRA\)](#) (click to view statute)*

● **2. Domestic Violence Victims (NDCC § 47-16-17.1)**

■ *Legal Reference: [NDCC § 47-16-17.1](#) (click to view statute)*

● **3. Public Assistance Recipients (NDCC § 14-02.5 (Housing Discrimination Act))**

■ *Legal Reference: [NDCC § 14-02.5 \(Housing Discrimination Act\)](#) (click to view statute)*

● **4. Age-Restricted Housing (Federal Fair Housing Act (55+ exemption))**

■ *Legal Reference:* [Federal Fair Housing Act \(55+ exemption\)](#) (click to view statute)

● **5. Subsidized Housing (Federal HUD regulations)**

■ *Legal Reference:* [Federal HUD regulations](#) (click to view statute)

● **6. Student Housing (No specific statute)**

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

● **7. Senior Housing (Federal Fair Housing Act exemption)**

■ *Legal Reference:* [Federal Fair Housing Act exemption](#) (click to view statute)

● **8. Short-Term Rentals (Airbnb/VRBO) (No specific state statute)**

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

● **9. Commercial Property (Not covered by NDCC § 47-16)**

■ *Legal Reference:* [Not covered by NDCC § 47-16](#)

17. TENANT SCREENING

● **1. Application Process (No specific statute)**

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

● **2. Background Checks (Fair Credit Reporting Act (Federal))**

■ *Legal Reference:* [Fair Credit Reporting Act \(Federal\)](#) (click to view statute)

● **3. Credit Checks (Fair Credit Reporting Act (Federal))**

■ *Legal Reference:* [Fair Credit Reporting Act \(Federal\)](#) (click to view statute)

● **4. Criminal History Screening (HUD guidance, North Dakota law)**

■ *Legal Reference:* [HUD guidance, North Dakota law](#) (click to view statute)

● **5. Income Verification (No specific statute)**

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

● **6. Rental History Verification (No specific statute)**

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

● **7. Co-Signers & Guarantors (No specific statute)**

■ *Legal Reference:* [No specific 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. City-Specific Requirements (Various local ordinances)

■ *Legal Reference: Various local ordinances*

● 2. HOA Rules (No specific statute)

■ *Legal Reference: No specific statute*

● 3. Condo Association Rules (NDCC § 47-04.1 (Condominium Act))

■ *Legal Reference: [NDCC § 47-04.1 \(Condominium Act\)](#)*

● 4. Zoning Compliance (Local zoning ordinances)

■ *Legal Reference: Local zoning ordinances*

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

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Document ID: ND-COMP-20261001