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When the duration of the agreement is 11 months, the signature of the parties and the witnesses will make the agreement valid and binding on the parties. The rental agreement is generally in written form and drafted on stamp paper. In case the agreement duration is within 12 months, the rental agreement needs to be printed on a stamp paper obtained from the Sub-Registrar office of the place where the property is situated. No. In India, it is not mandatory to notarise the rental agreement. There are 2 types of rental contracts in India, one being a lease agreement that lasts for a minimum of 12 months. The other type is a lease and license agreement of up to 11 months which doesn't fall under the Rent Control Laws. No attorney-client relationship is created when you access or use the site or the materials. Two witnesses must also sign the agreement along with their names and addresses to make the agreement valid. After purchasing the e-stamp paper, the rental agreement must be printed on it. Any lease agreement executed for more than 11 months has to be registered to be valid. However, if the lease agreement period is for 11 months and e-stamp paper is available in the city where the property to be leased is located, then the lease agreement can be printed on the e-stamp paper which can be sent to the distant landlord/tenant for putting his/her signature. However, if the duration of the rental agreement is within 12 months or 11 months, there is no requirement to register the agreement. The landlord of the property keeps the original copy of the rental agreement. Thus, the two parties of the rental agreement are the landlord/owner of the property giving his/her property for rent and the tenant who is the person occupying/staying in the rented property till the expiry of the agreement. A rental agreement, also called a rent deed and lease deed, contains basic details of the residential property, the owner of the property, the renter (or tenant, as he is also called), the term of the rental, and the amount of the rent for the said term. It ensures the safety of the property for the landlord as well as protects the tenants from dealing with any illegitimate demands by the landlord. After deducting the security deposit towards damages, the landlord is to return the remainder of deposit to the tenant, at the time of cancellation of the contract. According to the Registration Act of 1908, the registration of a rent agreement is mandatory if the duration of the rental agreement is more than 12 months. Why is a rental agreement usually executed only for 11 months? A part of the security deposit can be used by the landlord towards any damages caused to the furniture, appliances, electrical, or the property itself, by the tenant. Is there any e-lease that can be executed between a distant landlord and tenant? Where the e-stamping facility is available, the parties need not buy the stamp paper from the Sub-Registrar office to print the rental agreement. Security deposits In India, security deposit or advance is also paid by the tenant to the landlord which is to be repaid at the time of cancellation of the contract. The rental agreement or rental contract is drafted on a stamp paper. There is no necessity to issue a termination notice when vacating the premises on the date of the expiry of the agreement. Terms commonly included in a Rent agreement Duration: Period for which the rental agreement will be in effect.Rent: The consideration or payment made by the tenant to the landlord in exchange for the property Rented out.Deposits: The amount of deposit required (if any), the purpose of each deposit, and conditions for return or adjustment of deposit at the end of the rent period.Terms of use: The purpose for which the property is to be used and terms and conditions regarding use of the property.Uilities: Which utilities are included in the rent, and which utilities the tenant is responsible for.Insurance: Whether the tenant is required to insure the property - this is most often used in commercial rental agreements.Repairs and maintenance: Party responsible for repairs and maintenance of the property - landlord or tenant. Two witnesses must also sign the stamp paper and it should be registered after paying the required fees. However, giving the termination notice for vacating the premises before the expiry of the rental agreement is necessary. Yes, generally, the notice for termination of rental agreement is between 1 to 3 months. A rental agreement is an official contract signed between the owner of a property and the tenant who wishes to take temporary possession of the property for a said period of time. Related Articles HRA - House Rent Allowance - Exemption Rules & Tax Deductions Section 194I- TDS on Rent TDS deduction on rental property owned by NRI Impact of GST on Rent Get an expert at affordable price For ITR, GST returns, Company Registration, Trademark Registration, GST Registration Rental Agreement - Sample format Download Word Format Download PDF Format Contents of a rental agreement Common contents of a rental agreement include: Names of the landlord and tenant and/or their agents.Description of the property.Amount of rent and due dates for payment, grace period, late charges.Mode of rent payment.Methods to terminate the agreement prior to the expiration date and charges if any.Amount of security deposit and the account where it is held.Utilities furnished by the landlord and, if the landlord charges for such utilities, how the charge will be determined.Facilities in the premises which the tenant is entitled to use such as swimming pool, security systems etc.Rules and regulations such as pet rules, noise rules and the penalty for violation.Identification of parking available, including designated parking spaces, if provided.How tenant repair requests are handled and procedures for emergency requests. The signature of both parties will make the lease agreement valid when it is for a period of 11 months. To avoid the formalities of registration, rental agreements are made for 11 months and extended after the expiry of 11 months for another term of 11 months. How to Execute a Valid Rental Agreement? Security deposits are given at the time of signing the contract. If the state where the parties reside offer e-stamp paper, they need to purchase the e-stamp paper from the allotted centres in their respective cities. For registration of the lease agreement, the landlord and the tenant have to be present in the Sub-Registrar's office. The information presented on this site does not constitute legal or professional advice and should not be relied upon for such purposes or used as a substitute for legal advice from an attorney licensed in your state. In such a case, drafting and signing the agreement on the stamp paper will be valid as per law. After the rental agreement is printed on the stamp paper, each page of the stamp paper must be signed at the bottom by both the owner and tenant. This is governed under Rent Control Laws put up by the State government. Usually, the lease agreements are for a period of more than 11 months. Presently, Assam, Himachal Pradesh, Gujarat, Karnataka, Delhi-NCR, Maharashtra, Uttarakhand, Tamil Nadu and Uttar Pradesh allow e-stamping of rental agreements. Lease agreements are made for a duration ranging between 3-10 years. Usually, it is calculated anywhere from 2 or 3 months to up to 10 months of the rent. Even Oyo offers rooms on a rental basis. Can I take a hotel room on the rental agreement? The rental agreement should be printed on a stamp paper of a suitable stamp value according to the Stamp Act of the respective State to make it legally valid. They must sign at the bottom of each page of the stamp paper on which the agreement is printed in the presence of the Registrar. It is essential that a rental agreement is written as it helps to prevent conflict between the landlord and the tenant. In case the agreement duration is 12 months or more, the rental agreement needs to be printed on stamp paper and it needs to be registered with the Sub-Registrar's office of the area where the rented property is situated. Below is an example of a rental agreement executed on e-stamp paper. The rental agreement can be terminated by either party and the tenant can vacate or be asked to vacate after the expiry of the period of the termination notice. Can the notice period for early termination of the rental agreement be 3 months? The landlord and tenant must be present at the Sub-Registrar's office to execute the agreement. When the duration of the rental agreement is more than 12 months, the parties must print the rental agreement on the e-stamp paper, go to the Sub-Registrar's office, put their signatures and get it registered for the agreement to be valid and binding on them. However, is it better if the tenant also has the xerox of the rental agreement copy as it helps the tenant to go through the agreement terms in case of disputes. The rental price, duration, hotel services that they provide for your room and amenities have to be discussed beforehand and clearly stated in the rental agreement. Should the rental agreement be notarised? Who keeps the original rental agreement? It can be taken on rent or lease. They can log on to the Stock Holding Corporation of India Ltd (SHCIL) website and check if the state where they reside offers this facility. You can rent a hotel room by executing a rental agreement between you and the hotel management. Documents Required for Registration of Rental Agreement The documents that must be submitted by the landlord, tenant and witnesses for registration of the rental agreement are as follows: The proof or evidence of ownership of the rented property (title deeds of the property having the name of the landlord)Property documents such as tax receipt of the property to be rented outPassport-sized photographs of each of the parties and the witnesses Address proof of both parties and witnesses (Passport, Aadhar card, Ration card, Bank passbook or driving license) Route map of the property to be rented out E-Stamping of Rental Agreement In some states, the e-stamping facility for rental agreements is available. The rental agreement need not be registered when it is for a period of 11 months. Frequently Asked Questions What is the stamp duty to be paid on the stamp paper? In India, hotels like the Taj Group, Marriott and Grand Hyatt offer rooms on rent for long stays ranging from a week to a year or more. Disclaimer: The materials provided herein are solely for information purposes. Registration of the rental agreement is sufficient for it to be valid and binding on the parties. However, e-stamp paper cannot be directly purchased from the SHCIL website. Just putting the signatures of the landlord, tenant and witnesses on the rented agreement printed on the stamp paper are sufficient to make it valid and binding on the parties. The sample rental agreement that needs to be printed on the stamp paper can be downloaded by clicking the 'Download' button provided at the top of this page.

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