

## Eviction Pre-Suit Notice Chart

In Texas eviction cases, a landlord will be required to provide either a pre-suit “Notice to Vacate” or “Notice to Pay or Vacate” depending on the circumstances. This chart includes the statutory time periods for either type of notice. *To learn more about the differences in Notices to Vacate or Notices to Pay or Vacate, please review the Evictions Deskbook, Chapter 4.*

Type of Tenancy	Time Period
Tenancy for a Fixed Term	<b>3 days'</b> written notice <b>unless</b> lease provides otherwise Prop Code 24.005(a)
Tenancy at Will <i>without Rental Payment</i> (no fixed term, such as boyfriend/girlfriend or parent/adult child)	<b>3 days'</b> written notice Prop Code 24.005(b)
Tenancy at Will <i>with Fixed Rental Payments</i> (such as month-to-month agreements)	<b>3 days'</b> written notice <b>unless</b> lease specifies otherwise. If no breach of lease, <b>must</b> first give termination notice of at least one rental period <b>unless</b> lease specifies otherwise Prop Code 24.005(b); 91.001
Tenancy by Sufferance (such as an owner who was foreclosed upon)	<b>3 days'</b> written notice Prop Code 24.005(b)
Residential Tenant of an Owner Who Was Foreclosed Upon	<i>If requirements of bona fide tenant met</i> (see Evictions Deskbook Chapter 3 for details), tenant can finish lease <b>unless</b> purchaser will live in property as primary residence, in which case <b>90 days'</b> written notice Permanently Protecting Tenants at Foreclosure Act of 2018, 12 U.S.C. 5201
Squatter (person who entered without legal authority or by force)	Immediate notice, which can be written or oral Prop Code 24.005(d)
Tenant of a Squatter	<b>3 days'</b> written notice Prop Code 24.005(c)
CARES Act Covered Dwelling in Nonpayment Eviction	<b>30 days'</b> written notice Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116-136, 134 Stat. 281 (2020).