

## 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)	<b>Immediate notice, which can be written or oral</b> 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).