

## TERMINATION OF LEASE AGREEMENT

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This Termination of Lease Agreement (this "Termination Agreement") is made of this 22 day of January, 2018 by and between SAMANTHA J PLANT located at 2932 Martha Street, Bullhead City, AZ 86442 ("Landlord") and Kendra E McConnell ("Tenant").

WHEREAS, Landlord and Tenant previously entered into a Lease Agreement dated January 29, 2017 for the premises located at 4434 Bungalow Road, Rosalie, NE 68055 (the "Premises") (the "Lease Agreement"); and

WHEREAS, the Lease Agreement currently terminates on January 29, 2018; and

WHEREAS, Landlord and Tenant desire to terminate the Lease agreement early.

NOW THEREFORE, in consideration of the mutual promises and for other good and valuable consideration exchanged by the parties as set for in this Termination Agreement, the parties, intending to be legally bound, hereby mutually agree as follows:

**1. Termination.** Landlord and Tenant hereby agree that the Lease Agreement will terminate effective as of January 24, 2018 (the "Termination Date"). Tenant will deliver and surrender possession of the Premises to the Landlord no later than 6pm on the Termination Date.

**2. Security Deposit.** Any security deposit paid by Tenant shall be returned to Tenant in accordance with the terms of the Lease Agreement.

**3. Lease Obligations.** All terms and obligations under the Lease Agreement shall remain in full force and effect through the Termination Date.

**4. Notices.** Any notices and any remaining security deposit should be forwarded to Tenant at:

Kendra E McConnell  
3061 Brighton Circle Road  
Florence, VT 05744

**5. Mutual Release.** On the Termination Date, Landlord and Tenant shall be fully and unconditionally released and discharged from all claims and obligations arising out of the Lease Agreement.

**6. Governing Law.** This Termination Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska, without giving effect to the conflict of laws principles thereof.

**7. Miscellaneous.** This Termination Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors and assigns. The provisions of this Termination Agreement are severable. If any provision is held to be invalid or unenforceable, it shall not affect the validity or enforceability of any other provision. The section headings herein are for reference purposes only, and shall not otherwise affect the meaning, construction or interpretation of any provision of this Termination Agreement. This Termination Agreement constitutes the entire agreement between the parties and supersedes any prior oral or written agreements or understandings between the parties concerning the subject matter. This Termination Agreement may not be amended or modified in any respect, except by a writing signed by the parties. This Termination Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which together, shall constitute one and the same

document.

IN WITNESS WHEREOF, the parties have executed this Termination Agreement as of the date first written above.

### SIGNATURES

Samantha J Plant \_\_\_\_\_  
Landlord Name Date

Kendra E McConnell \_\_\_\_\_  
Tenant Name Date

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## GENERAL INSTRUCTIONS

People often need a Lease Termination when circumstances change for either the Tenant or the Landlord. A simple Notice of Termination or Termination Agreement will address the following:

- When the Tenant must leave and whether a walk through should be done
- Where the Landlord should forward future notices or security deposit
- Why the Lease or Rental Agreement is being ended or not renewed
- What is the original start and end date of the Lease or Rental Agreement

## WHAT IS A LEASE TERMINATION?

A Lease Termination is needed when a Lease or Rental Agreement between a Landlord and Tenant is being ended. There are two ways to end a lease and release both parties from their obligations.

If only ONE party wants to end the relationship, the Landlord or Tenant may unilaterally send a Notice of Termination to the other party.

If BOTH parties agree, the Landlord and Tenant may sign a mutually agreed upon Termination Agreement.

## WHEN IS IT NEEDED?

Some Leases or Rental Agreements require notice be sent if the landlord-tenant relationship will end. If you want to end a lease early, use a Notice of Termination to officially communicate the need to stop the lease. For example, a month-to-month rental agreement may require a one month or two month notice.

Advanced warning gives the Landlord time to find another renter and provides the Tenant enough time find a new home. In situations where the Landlord is evicting the Tenant, a notice or agreement shows the court that the Landlord gave a fair warning.

Hopefully, the Landlord has been documenting all the written letters and notices being sent to the Tenant. A good paper trail can save the Landlord time in the future if a judge becomes involved.

As the Tenant, you may have a very good reason to end your lease early. If you have asked your Landlord to fix the heater during the winter with no luck, you may find it useful to send a final letter. A Tenant's Notice of Termination to the Landlord can explain why you believe the Landlord has violated the Implied Warranty of Habitability and why you need to end the lease and find a warm home for you and your family.

## WHAT HAPPENS IF YOU DON'T USE?

If you do not use a Notice of Termination or Lease Termination Agreement, the court may not sympathize with your situation. The law does not look well upon Tenants who simply move out without any notice or Landlords who kick out their Tenants without any advanced warning. Society is better off when people can expect that their Lease or Rental Agreement for one year will be honored.

Instead of simply leaving, Tenants are expected to have adult conversations with their Landlords about why they need to leave. Tenants can offer to sublet the place to another trustworthy person or give the Landlord a chance to fix the heater (if they haven't already).

## OTHER NAMES

As a reference, an Independent Contractor Agreement is called by other names:

- Early Lease Termination Letter
- Lease Termination Letter
- Notice of Lease Termination
- Notice of Termination
- Notice of Terminating
- Tenancy Notice to End Tenancy
- Release of Lease Agreement
- Termination Agreement
- Termination of Lease Form