

Breaking a Lease in Illinois: Tenant Rights and Landlord Options

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/illinois-breaking-a-lease>

An Illinois landlord must take reasonable steps to re-rent a unit when a tenant leaves early. Survivors of domestic or sexual violence have a statutory defense to rent claims, and service members are protected under federal law.

Key points

- A tenant entering military service, or getting orders to move, can end a residential lease early with written notice and a copy of the orders.
- A tenant facing a credible, imminent threat of domestic or sexual violence who leaves and gives written notice within 3 days of moving out is not liable for later rent.
- When a tenant leaves early, the landlord must take reasonable steps to re-rent and reduce the damages owed.
- A month-to-month tenancy ends with 30 days of written notice.
- When serious conditions make the home unlivable, a tenant may have a claim for constructive eviction, and some local ordinances add termination rights.

Illinois at a glance

Rule	Illinois	Law
Military service	A tenant entering military service, or getting orders to move, can end a residential lease early with written notice and a copy of the orders.	Servicemembers Civil Relief Act (50 U.S.C. 3955) and Illinois Service Member Civil Relief Act
Domestic violence survivors	A tenant facing a credible, imminent threat of domestic or sexual violence who leaves and gives written notice within 3 days of moving out is not liable for later rent.	Safe Homes Act (765 ILCS 750/15)
Unlivable conditions	When serious conditions make the home unlivable, a tenant may have a claim for constructive eviction, and some local ordinances add termination rights.	Illinois case law and local ordinances
Landlord duty to re-rent	When a tenant leaves early, the landlord must take reasonable steps to re-rent and reduce the damages owed.	735 ILCS 5/9-213.1

Rule	Illinois	Law
Month-to-month notice	A month-to-month tenancy ends with 30 days of written notice.	735 ILCS 5/9-207

Mistakes to avoid

- Billing the tenant for every remaining month without trying to re-rent the unit.
- Ignoring a protected early termination notice because it is inconvenient.
- Agreeing to an early exit by phone without a written agreement.
- Keeping more of the deposit than the lawful deductions.

Verify current law

Laws named in this summary:

- Servicemembers Civil Relief Act (50 U.S.C. 3955) and Illinois Service Member Civil Relief Act
- Safe Homes Act (765 ILCS 750/15)
- Illinois case law and local ordinances
- 735 ILCS 5/9-213.1
- 735 ILCS 5/9-207

Official sources:

- Illinois General Assembly: Illinois Compiled Statutes: <https://www.ilga.gov/Legislation/ILCS/Chapters>
- Illinois Courts: Eviction help: <https://www.illinoiscourts.gov/eviction>

General information, not legal advice. Check current law and talk to a Illinois attorney before you act. Last reviewed October 29, 2026.