

Breaking a Lease in North Carolina: Tenant Rights and Landlord Options

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

North Carolina gives service members and survivors of domestic violence, sexual assault or stalking a statutory right to end a lease early with 30 days of written notice. Other early departures are governed by the lease and by the landlord's duty to limit losses.

Key points

- A service member with permanent change of station orders 50 miles or more away, or who is discharged early, can end a lease with written notice effective at least 30 days after the landlord receives it, plus the orders.
- A survivor of domestic violence, sexual assault or stalking can end a lease with written notice effective at least 30 days after the landlord receives it, plus a qualifying protective order or Address Confidentiality Program card.
- A month-to-month tenancy can be ended by either side with 7 days of notice, unless the lease requires more.
- When a tenant leaves early, the landlord is generally expected to make reasonable efforts to re-rent, which limits the rent the tenant owes.

North Carolina at a glance

Rule	North Carolina	Law
Military service	A service member with permanent change of station orders 50 miles or more away, or who is discharged early, can end a lease with written notice effective at least 30 days after the landlord receives it, plus the orders.	N.C. General Statutes section 42-45 and Servicemembers Civil Relief Act
Domestic violence survivors	A survivor of domestic violence, sexual assault or stalking can end a lease with written notice effective at least 30 days after the landlord receives it, plus a qualifying protective order or Address Confidentiality Program card.	N.C. General Statutes section 42-45.1
Landlord duty to re-rent	When a tenant leaves early, the landlord is generally expected to make reasonable efforts to re-rent, which limits the rent the tenant owes.	North Carolina case law

Rule	North Carolina	Law
Month-to-month notice	A month-to-month tenancy can be ended by either side with 7 days of notice, unless the lease requires more.	N.C. General Statutes section 42-14

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:

- N.C. General Statutes section 42-45 and Servicemembers Civil Relief Act
- N.C. General Statutes section 42-45.1
- North Carolina case law
- N.C. General Statutes section 42-14

Official sources:

- North Carolina General Assembly: General Statutes: <https://www.ncleg.gov/Laws/GeneralStatutes>
- North Carolina Judicial Branch: <https://www.nccourts.gov/>

General information, not legal advice. Check current law and talk to a North Carolina attorney before you act.
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