

State of Montana
Property Management Pre-Licensing Course
Landlord/Tenant Law Test

1. In the preparation of a rental agreement, the landlord and tenant can agree to include terms prohibited by law. T or F Code:
2. Unless the rental agreement says differently, the tenant shall pay market rent for the use of the dwelling unit as determined by the landlord. T or F Code:
3. When a property manager is figuring rent for a rental agreement, he/she apportions the rent on a month-to-month basis. T or F Code:
4. Rent is not considered "due" unless the tenants receive some kind of notice or demand from the landlord. T or F Code:
5. If a property manager terminates his/her management agreement, they are relieved of liability to the tenant under the rental agreement immediately upon notice to the owner of the property. T or F Code:
6. If a property manager's agency agreement is terminated by the property owner, the manager is liable to the tenant's rental agreement until the end of their existing lease.
T or F Code:
7. A property manager is liable under tenant's rental agreement until written notice is given to the tenant that the manager is no longer representing the property owner.
T or F Code:
8. Landlords may adopt new rules anytime during the lease duration as long as they notify the tenants in writing. T or F Code:
9. Property managers must give tenants 30 days notice of changes to the terms of a lease agreement, providing the lease is month-to-month. T or F Code:
10. Rental agreements (longer than month-to-month) must contain all specific rules/terms at the time of lease signing and cannot be changed until the lease is up for renewal.
T or F Code:
11. A landlord may require that a tenant notify them of any absence in excess of seven days.
T or F Code:
12. A rental agreement may state that a tenant is required to notify the landlord if they are going to be gone from the premises for more than 7 days. T or F Code:

13. If the landlord notices that the tenant has been gone for a long time, the landlord may go into the property whenever he/she feels it is necessary. T or F Code:
14. A property manager can require a tenant to give notice of absences for periods longer than 48 hours. T or F Code:
15. If a landlord takes a security deposit and rent for an apartment but the apartment is not available on the agreed upon move-in date, the tenant can terminate the rental agreement with 10 days notice and get triple the security deposit back.
T or F Code:
16. If a property is not ready for move-in on the date arranged between the landlord and tenant, the tenant can terminate the rental agreement with 5 days written notice.
T or F Code:
17. Nothing happens if a rental property is not available for the tenant by the arranged date. The landlord cannot control "ready dates." T or F Code:
18. When a tenant notifies the landlord on December 12th that their heating system is not working, the landlord has 5 working days to get it fixed. T or F Code:
19. When a tenant notifies the landlord that they have a clogged drain in their kitchen sink, the landlord has 14 working days to get it fixed. T or F Code:
20. A property manager has 14 days to remedy emergency problems for a tenant after notification in writing from the tenant. T or F Code:
21. Minor maintenance problems with a rental only require the landlord to address them within a reasonable time frame. T or F Code:
22. If a landlord has legitimate concerns about drug activities going on in one of his/her properties, they can give the tenants 30 days notice to vacate on a month-to-month lease. T or F Code:
23. Drug activities are not the business of the property manager and they can do nothing about this except call the police. T or F Code:
24. If a tenant with no pet agreement is found to have a dog, the landlord can give written notice and evict the tenant with a 3 day notice. T or F Code:
25. Property managers must give the tenant 5 days notice for violations involving unauthorized pets. T or F Code:

26. If a tenant is caught vandalizing the community gym equipment, the fastest way to address the tenant is to give him/her a 30 day notice to vacate. T or F Code:
27. A property manager can give a tenant 24 hour notice to vacate, if they catch the tenant damaging the property. T or F Code:
28. If a tenant is on a month-to-month lease and constantly calls for legitimate maintenance repairs and writes letters of request for repairs, the landlord can bring an action for possession against the tenant. T or F Code:
29. Montana State Law states that a security deposit cannot exceed two times the rent amount. T or F Code:
30. There is no maximum amount for security deposits, but there is a limit for pet deposits. T or F Code:
31. When a tenant vacates a property, he/she has three days after move-out to comply with the provided cleaning notice. T or F Code:
32. The property manager is required to give a tenant one week to clean to his/her standards. T or F Code:
33. A landlord may deduct for normal carpet wear and tear from the tenant's security deposit. T or F Code:
34. A landlord cannot deduct unpaid rent from the security deposit at the time of move-out because it is for damages only. T or F Code:
35. If a tenant moves out and no cleaning or other costs are due, the landlord must return the security deposit immediately or the tenant does not have to return the keys and premises back to the landlord. T or F Code:
36. Security deposits must be returned within 30 days if there is cleaning, maintenance, or repairs to be done on the property. T or F Code:
37. If after inspection there are no damages, cleaning, unpaid rent, or utilities due, the tenant must get his/her security deposit back within 10 days.
T or F Code:
38. The security deposit must be refunded to the tenant by certified mail to the property that the tenant just moved from. T or F Code:

39. If a tenant vacates and does not leave a new address with the landlord in writing, the landlord is relieved of the liability of the penalties for returning the security deposit if the tenant does not receive their mail, as long as it was sent in a timely manner.
T or F Code:
40. A security deposit disposition must include a list of damage withholdings and must be mailed within the 10 day period required by law. T or F Code:
41. If a tenant wishes to see the prior person's security deposit disposition, they may request that information in writing from the property manager.
T or F Code:
42. A tenant cannot request information about the immediate preceding tenant's cleaning and damage charges. T or F Code:
43. If the rental agreement is terminated, the landlord has a claim for possession and for rent, as well as a separate claim for actual damages for any breach of the rental agreement. The court will hear the action within 14 days after the tenants' appearance.
T or F Code:
44. If the tenant remains in possession without the landlord's consent after the expiration of the rental agreement or its termination, the landlord may bring an action for possession. The time for filing an answer is 10 days after service of summons and complaint.
T or F Code:
45. If a tenant moves out at the end of his/her lease but does not show up for or comply with the cleaning inspection, the landlord can keep the entire security deposit.
T or F Code:
46. Montana law states that a tenant can move out at the end of a one year lease without any notice to the landlord. T or F Code:
47. Montana law states that a tenant must give a 30 day notice in writing to vacate a property, if the tenant is renting month-to-month. T or F Code:
48. If a tenant moves into a dirty apartment because the landlord's cleaning people were running behind and the landlord allows the tenant to clean the apartment in lieu of a \$300 security deposit, at the end of the lease the landlord owes the tenant \$300 if there are no damages and no cleaning is required. T or F Code:
49. If a tenant has given 30 day notice to vacate and continues to stay at the property beyond that date, he/she may be liable to pay the landlord up to two times the regular rent amount for each day spent past the move-out deadline. T or F Code:

50. A “holdover tenant” is one who is renting a property on a month-to-month basis until they can find other housing. T or F Code:
51. Josh was evicted in writing from his apartment for nonpayment of rent. After being given 30 days notice he did not answer to the court and remained in possession of the property. Because he purposely “held over” the apartment, the landlord may recover up to treble rent. T or F Code:
52. When a property is sold to a new party, the tenant has to negotiate a new lease with the new owner. T or F Code:
53. There is no maximum term of a written and signed residential lease by lessor and lessee. T or F Code:
54. The landlord may not knowingly allow illegal activity on the premises. T or F Code:
55. If a tenant creates a reasonable potential that a neighboring tenant may be injured, the landlord may terminate the rental agreement with 5 days written notice. T or F Code:
56. If the rental agreement is terminated because of a non compliance under 70-24-321(3), the action must be heard within three business days after the tenants’ appearance. T or F Code:
57. Either party may agree to waive their rights under the Landlord/Tenant Act. T or F Code:
58. When a tenancy is terminating, how long does the tenant have to comply with the landlord’s cleaning notice? Code:
59. When must a landlord provide a tenant with the statement of deposit withholding from the previous tenant? Code:
60. In an action for possession, once a tenant has been served with a summons, they have 10 days to answer. T or F Code:
61. Once a tenant has answered a summons, when must the hearing be held? Code:
62. A mobile park owner may evict a mobile home from the park if the tenant was late in paying the rent twice. T or F Code:

63. If a tenant vacates the premises without notice, the landlord does not have to give 24 hour notice and can deduct the cleaning costs from the security deposit.
T or F Code:
64. There is no limit on security deposits in Montana. T or F Code:
65. A landlord may change the rules in a mobile home park if the rule change is in writing, reasonable and 30 days notice is given. T or F Code:
66. A “covenant of quiet possession” is a tenant’s legal right to the possession of leased property when a property is sold. T or F Code:
67. A mobile home owner who rents space in a mobile home court has had a pet for over a year. The owner of the mobile home court can change the rules to prohibit pets after proper notice. T or F Code:
68. If a tenant hasn’t given you the required notice and they are gone for a period longer than seven days, on the 8th day you may enter the dwelling unit at times reasonable necessary. T or F Code:
69. The only time a property manager doesn’t have to give a tenant a breakdown of the charges out of their security deposit is when the charges against the security deposit are less than \$50. T or F Code:
70. A move-in condition report is not always required. T or F Code:
71. A landlord wants to rent to his sister and gives the proper notice when terminating his current tenant. The tenant refuses to move. The landlord should give the tenant a 3 day notice to vacate or quit. T or F Code:
72. The power to a four-plex goes out – the landlord has 3 working days to restore power.
T or F Code:
73. After the proper notice is given to the tenant regarding the abandonment of personal property, the property manager must wait 30 days before legally disposing of the property. T or F Code:
74. A property manager may enter a rental unit under the following circumstances: case of emergency, with 24 hour notice, 14 days after notice to tenant to remedy a repair if the tenant failed to do so, and after the tenant has given notice that they will be gone from the premises in excess of seven days. T or F Code:
75. The maximum term in an unsigned rental agreement is one year.
T or F Code:

76. If the rental agreement requires a tenant to give notice on absences in excess of seven days and the tenant fails to do so, the property manager may recover actual damages.

T or F Code:

77. Unless otherwise stated, a commercial lease is presumed to be five years.

T or F Code:

78. If a tenant is delinquent in rent payment, the landlord may issue a 3 day notice to pay or quit and a 10 day termination. T or F Code:

79. If a tenant violates a rule by parking too many vehicles on the premises and the landlord issues a 3 day notice to vacate, the tenant must leave. T or F Code:

80. If the rental agreement requires the tenant to give notice of anticipated absences in excess of seven days and the tenant fails to do so, the landlord may enter the property after seven days. T or F Code:

81. A tenant's lease has expired but he sends the landlord the next month's rent. The landlord accepts the rent payment without question. What does this tenant become?

Code:

82. A tenant has a dog in a pet free rental – you give the proper notice and the tenant removes the unauthorized pet. Two months later the same tenant brings a cat into the apartment. What three options do you have as a property manager?

Code:

83. Example Scenario: Shortly after a tenant joins a tenant's union, the tenant provides the landlord with a long list of repairs. All of the repairs on the list are legitimate, some of which are required in order to comply with local building ordinances. The landlord makes most of the repairs, but not all. Some of the outstanding repairs are required to meet building codes. The tenant reports the landlord to the local building authority, who issues the landlord a letter of non-compliance. The landlord then finishes making the repairs requested by the tenant, including all repairs necessary to bring the building into compliance. The landlord is very angry at the tenant for having been forced to make the repairs. The landlord can give the tenant a 30 day notice of termination.

T or F Code:

84. A property manager does not need to notify a tenant of their intentions regarding security deposit deductions if the tenant vacated without notice.

T or F Code:

85. Can a property manager ask a tenant to pay first month's rent, last month's rent, and a \$300 security deposit? T or F Code:
86. A landlord suspects a tenant is using drugs. The landlord should notify law enforcement. T or F Code:
87. A landlord suspects a tenant is engaged in prostitution. The landlord can give the tenant a 3 day notice to vacate. T or F Code:
88. Prior to the expiration of a one-year lease, a landlord gives proper notice to the tenant that he does not intend to continue leasing to the tenant. After the lease expires, the tenant remains in the property and continues to pay rent. This is known as a periodic tenancy. T or F

70 Correct = 80%