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What is the limitation period for a rental debt (charges and rent)?

Verified 02 July 2021 - Legal and Administrative Information Directorate (Prime Minister)

The owner of a rented accommodation can recover the outstanding charges and rents for 3 years, including after the departure of the tenant. The same applies if the tenant has paid too many expenses. If the landlord has not completed the annual rent review, he has 1 year to respond.

Debts on rent and/or charges

The landlord can claim any outstanding charges or rents for 3 years, including after the tenant's departure.

For example: a rent debt dated July 2019 may be charged until July 2022.

Please note

This time limit also applies to the tenant who has paid too many expenses and wants to be reimbursed for the overpayment.

Regularisation is possible for any reason:

Forgotten

Ignorance

Negligence

However, the judge may refuse late settlement of charges if he considers it to be unfair, brutal and consequential fault of the owner in the performance of the contract. For example, when the tenant requested the adjustment of the charges and the landlord did not respond.

Rent Review

annual rent review ([https://www.service-public.fr/particuliers/vosdroits/F1311?](https://www.service-public.fr/particuliers/vosdroits/F1311?lang=en)

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lease.

may be made within one year of the date of revision of the

The rent review does not apply retroactively, but only from the date of application.

When the one-year period has elapsed, the unapplied revision is lost to the owner.

Example :

If the lease revision date is March 13, 2021, the owner may revise the lease until March 12, 2022.

If the lease review date is March 13, 2021, but the landlord does not request it until June 13, 2021, only rents collected from that date may be increased.

Statute and miscellaneous references

Act No. 89-462 of July 6, 1989 on rental reports: Article 7-1

- (https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000028777184/)
Debts on rent and charges

Act No. 89-462 of July 6, 1989 on rental reports: Article 17(1)

- (https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000028778231/)
Annual rent review

Civil Code: Article 222 ([https://www.legifrance.gouv.fr/affichCodeArticle.do?](https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000019017122&cidTexte=LEGITEXT000006070721)

- [idArticle=LEGIARTI000019017122&cidTexte=LEGITEXT000006070721](https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000019017122&cidTexte=LEGITEXT000006070721))

Calculation of the limitation period

Law n°2015-990 of 6 August 2015 for growth: Article 82 ([https://www.legifrance.gouv.fr/affichTexteArticle.do?](https://www.legifrance.gouv.fr/affichTexteArticle.do?idArticle=JORFARTI000030979252&cidTexte=JORFTEXT000030978561)

- [idArticle=JORFARTI000030979252&cidTexte=JORFTEXT000030978561](https://www.legifrance.gouv.fr/affichTexteArticle.do?idArticle=JORFARTI000030979252&cidTexte=JORFTEXT000030978561))

Application of limitation period

Online services and forms

Letter to request a deadline to pay a large rental expense reminder([https://www.service-public.fr/particuliers/vosdroits/R11666?](https://www.service-public.fr/particuliers/vosdroits/R11666?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/R11666?lang=en))

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Additional topics

Revision of rent under lease (private sector housing)([https://www.service-public.fr/particuliers/vosdroits/F1311?](https://www.service-public.fr/particuliers/vosdroits/F1311?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F1311?lang=en))

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Annual Rent Review ([https://www.anil.org/votre-projet/vous-etes-locataire/le-loyer/revision-du-](https://www.anil.org/votre-projet/vous-etes-locataire/le-loyer/revision-du-loyer/)

- [loyer/](https://www.anil.org/votre-projet/vous-etes-locataire/le-loyer/revision-du-loyer/))

National Housing Information Agency (Anil)