

Before you sign the rental contract

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Read for three answers

For an ordinary residential tenancy, establish the monthly payment, the separate move-in cash requirement and the length of commitment. Temporary housing and some furnished rooms follow different rules. This is a reading aid, not a legal assessment of a particular clause.

Know which amount you are looking at

Kaltmiete is base rent. Betriebskosten may be an advance (Vorauszahlung) or a flat rate (Pauschale). Ask which services are separate. For advances, expect an annual reconciliation. Do not count the deposit as monthly spending.

Ordinary deposit rule: at most three months of base rent excluding stated operating costs. A cash deposit can be paid in three equal monthly instalments; the first is due at tenancy start (BGB section 551).

Base rent + operating costs + separate services = monthly budget (EUR)

Deposit total / cash instalments / dates / other move-in costs

Clauses worth a second look

Staffelmiete: read each future euro amount and date. Indexmiete: check the index clause and how a change is claimed. Fixed term or termination waiver: establish the earliest leaving date. Repairs, decoration, pets and subletting: note the exact wording, not just the heading.

Clause number / question / why the answer matters

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If something is unclear, use the right next step

Unclear costs: ask the landlord for a written breakdown. Unclear enforceability or a dispute: ask a local tenants' association or qualified legal adviser to review the wording. Do not infer that a clause is valid simply because it appears in the contract.

- ☐ The named parties, property and included spaces match the agreement
- ☐ All annexes, house rules and repair promises are available
- ☐ Monthly costs, deposit and any rent-change mechanism are clear
- ☐ Fixed term, notice rules and minimum commitment have been checked

Copy and adapt this enquiry

Before I sign, please confirm which services are included in EUR [amount] per month, how the EUR [deposit] cash deposit can be paid in instalments, and the earliest ordinary termination date under clause [number]. Please also include our agreement about [repair / included space] in the documents.

Answer received / remaining question / person to contact

At handover

Record the condition, existing defects, meter readings and keys. Keep dated photographs and the agreed handover record with your contract. Do not sign a defect-free statement if defects remain.

Next action / date / handover appointment

Read the complete rental-contract guide

Official sources / checked 7 September 2026

BGB section 551: deposit (www.gesetze-im-internet.de)

BGB: sections 556, 557a, 557b, 568, 573c and 575 (www.gesetze-im-internet.de)