



ADMINISTRATIVE RULES OF MONTANA



36.25.1008 CANCELLATION AND ABANDONMENT OF LEASE

- (1) Either the department or the lessee may cancel the lease.
 - (a) The department may cancel a lease for any breach of the lease contract.
 - (b) A lessee may cancel per the terms of the lease, or unconditionally abandon a lease in accordance with ARM 36.25.1006.
- (2) Before any cancellation or abandonment of a cabin site lease, the department shall notify any known holder of a security interest for improvements located upon the cabin site.
- (3) Abandonment of the lease begins on the date specified on the abandonment form. At such time the former lessee will forgo all rights to the lease, and if specified on the form, will forgo all rights to all improvements on the property. Abandonment of improvements means all movable and nonmovable improvements, as well as personal property.
- (4) The cancellation date of the lease begins on the date specified by the department when the cancellation process is complete.
- (5) After the lease is cancelled or abandoned, the lease shall be available for lease to a third party and the department may put the lease lot up for bid.
- (6) The former lessee will not be entitled to any refunds of any lease payments after cancellation or abandonment.

Authorizing statute(s): 77-1-202, 77-1-209, MCA

Implementing statute(s): 77-1-208, MCA

History: NEW, 2010 MAR p. 1293, Eff. 5/28/10; AMD, 2016 MAR p. 1020, Eff. 6/4/16.