



Received: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 License No. \_\_\_\_\_

**TOWN OF SMYRNA  
 Rental Unit Lease Addendum**

24-hour notice is required for all rental inspections

Rental Unit Street Address: \_\_\_\_\_

Contact #: ( ) - ; Alt. #: ( ) - ; Number of Occupants\*: \_\_\_\_\_

Owner(s):

Last Name, First Name, MI	Address	Phone #
_____	_____	( ) - _____
_____	_____	( ) - _____

Caretaker(s):

_____	_____	( ) - _____
_____	_____	( ) - _____

**Rental Unit Lease Addendum**

Under Article XI ("Rental Properties") of the Smyrna Town Code, every agreement, whether it be written or oral, for occupancy of a rental unit shall be subject to the following conditions, which shall be incorporated into and made a material provision of the occupancy agreement.

In addition to all other terms of the occupancy agreement, property owner(s) and tenant(s) hereby agree that a violation of any of the following conditions shall constitute a substantial violation of the agreement, material noncompliance with the lease, material breach of an obligation imposed upon tenants by a municipal ordinance under 25 Del. C. § 5513(a)(3), and grounds for termination of tenancy and eviction:

- a. Occupancy by more persons than permitted under the Housing Code of the Town of Smyrna.
- b. Two convictions of any occupant and/or user for violation of 42-107(d) of the Smyrna Town Code ("Disorderly dwelling unit—Unlawful acts by occupants and/or users") for violations occurring within any three-consecutive month period.
- c. Engaging in any use prohibited by the zoning code of the town after written notice of such violation from the town.
- d. Using or permitting the use of the rental unit or common areas thereof for purposes of prostitution, gambling and/or any drug offense in violation of applicable state statute.
- e. The tenant, any member of the tenant's household, any guest, or any other person under the tenant's control, on or within 500 feet of the leased premises:
  - i. Shall not engage in criminal activity, including drug-related criminal activity.

- ii. Shall not engage in any act intended to facilitate criminal activity or drug-related criminal activity.
- iii. Shall not permit the dwelling unit to be used for or to facilitate any criminal activity or drug-related criminal activity.
- iv. Criminal activity is defined as any crime classified by applicable law as a (a) Felony, (b) Class A Misdemeanor, or (c) any of the following offenses: any drug offense defined by Title 16 of the Delaware Code, and the following misdemeanors in addition to any Class A misdemeanor, as defined by Title 11 of the Delaware Code: §601-offensive touching, §602-menacing, §628-vehicular assault 3, §763-sexual harassment, §764-indecent exposure, §811-criminal mischief, §812-graffiti, §820-trespassing, §821/2/3-criminal trespassing, §1105-crime against a vulnerable adult, §1106-unlawfully dealing with a child, §1301-disorderly conduct, §1313-malicious interference with emergency communications, §1315-public intoxication, §1321-loitering, §1322-criminal nuisance, §1323-obstructing of public passage, §1341-lewdness, §1342-prostitution, §1343-patronizing a prostitute, §1445-unlawfully dealing with a dangerous weapon, §1446-unlawfully dealing with a switchblade knife.
- v. Drug-related criminal activity means the illegal manufacture, sale, distribution, use, or possession of any illegal or controlled substance defined by Title 16 Chapter 47, as the same may be amended from time to time and in accordance with any future corresponding provision of law.

The parties hereto agree to the terms of this addendum and this shall certify that one (1) copy of this Notice/Addendum was provided to the occupant(s)/tenant(s) by the owner (or by the owner's agent) at, or prior to, the time of entering into the occupancy agreement ("Lease") for the rental unit.

\_\_\_\_\_  
 Owner(s) Signature (or Agent authorization must be on file)

\_\_\_\_\_  
 Date

Occupant(s):  
 Last Name, First Name, MI

Please Circle One

Signature if over 18

\_\_\_\_\_  
 Adult / Child

\_\_\_\_\_

\_\_\_\_\_  
 Adult / Child

\_\_\_\_\_

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 Adult / Child

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 Adult / Child

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 Adult / Child

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