

# Revised transparency rules on rents

On 21 March 2025, the Swiss Federal Council adopted amendments to the Ordinance on the Rent and Lease of Residential and Commercial Premises. The amendments primarily concern the notification of the previous rent for residential leases with the official form in those cantons that have declared such form to be mandatory. Furthermore, the amendments also concern the formal requirements for notifying a rent increase in the case of staggered rents – mere written notification will now be sufficient. The changes will come into force on 1 October 2025.

Published: 28 March 2025

---

EXPERTISE    Real Estate

---

## Amendment to the form for notifying the initial rent

In the event of a housing shortage, the cantons may prescribe the use of the official form for the notification of the initial rent when concluding a residential lease. This ensures that tenants are informed about the previous tenant's rent and their right to contest the initial rent. The use of the official form is also intended to encourage the landlord to exercise restraint when increasing the rent on the occasion of a change of tenant.

On 21 March 2025, the Federal Council approved an amendment to the Ordinance on the Rental and Lease of Residential and Commercial Premises ("ORRC"). The measures concern the notification of the initial rent for residential leases and are intended to have a certain rent-reducing effect. This amendment aims to enhance transparency, allowing for a clearer assessment of rent levels and their contestability when re-letting. It should also prevent hidden rent increases.

According to the revised provision, the notification of the initial rent on the official form is to be supplemented by the disclosure of the level of the reference interest rate and the level of the national consumer price index (inflation) that applied to the previous rent. (Art. 19 para. 3 nORRC)

It should be noted that this measure applies only to those cantons that have introduced a requirement to use official forms. Currently, the obligation to use the official form applies in the cantons of Basel-City, Fribourg, Geneva, Lucerne, Zug and Zurich. In the cantons of Neuchâtel

and Vaud, the obligation to use the form is limited to certain municipalities or districts. In other cantons, the landlord is only required to disclose the previous rent if requested to do so by the tenant.

The consequences of notifying the initial rent in violation of the form requirement are considerable for both tenants and landlords. If the previous rent is not notified within 30 days of taking possession of the rented property using the official form, or if it does not include the previous rent or states an incorrect previous rent, the agreed rent amount in the lease agreement is deemed null and void. The tenant can contest the void rent with the conciliation authority at any time. The rent is then determined by the judge.

## Staggered rents

Staggered rents are rents that are fixed in advance for the entire duration of the lease and increase in stages at periodic intervals.

According to existing provisions, the landlord would have to notify the periodic rent increase in accordance with the agreed staggering on the official form. In a decision, the Swiss Federal Supreme Court ruled that such form requirement did not comply with overriding law, which provides that rent increases based on the staggered rent cannot be contested by the tenant, provided the increase complies with the agreed staggering. On this basis, the Swiss Federal Supreme Court overruled the statutory form requirement in such cases.

In September 2023, the Federal Assembly revised the provisions concerning staggered rents and allowed for (mere) written notifications to be sufficient for rent increases in this context. Because no referendum was called against this change, an amendment of the Ordinance on the Rental and Lease of Residential and Commercial Premises is required. (cf. Art. 19 para. 2 and Art. 19a nORRC) The amendments affect residential as well as commercial leases.

As part of the amendment, the requirement to use the official form for periodic rent increases in accordance with an agreed staggering was deleted in the law. In the future, a (mere) written notification will suffice. The amendment does, however, not affect the timing when such written notification for a staggered rent may be initiated: this is (still) no earlier than four months prior to the scheduled date of each rent increase. (Art. 19a nORRC)

## Entry into force

All changes will come into force on 1 October 2025.

Please do not hesitate to contact us in case of any questions.

**Legal Note:** The information contained in this Smart Insight newsletter is of general nature and does not constitute legal advice.



---

Beat Kühni

Partner, Zurich  
beat.kuehni@lenzstaehelin.com  
Tel: +41 58 450 80 00

Cécile Berger Meyer

Partner, Head of Real Estate, Geneva  
cecile.berger@lenzstaehelin.com  
Tel: +41 58 450 70 00

---