START\_STATUTE33-1366.  Fire or casualty damage

A.  If the dwelling unit or premises are damaged or destroyed by fire or casualty to an extent that enjoyment of the dwelling unit is substantially impaired, the tenant may do either of the following:

1.  Immediately vacate the premises and notify the landlord in writing within fourteen days thereafter of his intention to terminate the rental agreement, in which case the rental agreement terminates as of the date of vacating.

2.  If continued occupancy is lawful, vacate any part of the dwelling unit rendered unusable by the fire or casualty, in which case the tenant's liability for rent is reduced in proportion to the diminution in the fair rental value of the dwelling unit.

B.  If the rental agreement is terminated the landlord shall return all security recoverable under section 33‑1321.  Accounting for rent in the event of termination or apportionment is to occur as of the date the tenant vacates all or part of the dwelling unit. END\_STATUTE