

Preparing to Leave

The Eviction Process

Most tenancies will end when renters give notice of their intent to move as outlined in their lease agreement. However, tenancy can end in eviction. **Eviction is a process that legally ends your tenancy in a rental unit.**

A landlord can evict a tenant for a number of reasons, **including illegal activities, nonpayment of rent or violation of the terms of the lease agreement.** A landlord cannot begin an eviction lawsuit in court without first giving you written notice of your eviction.

In Utah a landlord **must provide a WRITTEN notice before beginning eviction proceedings with the court.**

These notices most often direct the tenant to pay overdue rent or to stop violating terms of the lease agreement.

Types of written eviction notices include:

- **3 day notice to pay or vacate—3 business days**
- **3 day notice to comply with lease or vacate—3 calendar days**
- **3 day notice to vacate for nuisance**
- **5 day notice to vacate to tenant at will**
- **15 day notice to vacate (notice to vacate by end of lease)**

If the tenant has NOT vacated before the notice period ends (also known as the “cure” period), the landlord can file an eviction lawsuit against the tenant in court. If the tenant has no defense to the eviction and has NOT vacated the premise, the tenant is said to be “unlawfully detaining” the rental unit.

How can I avoid eviction?

The best way to avoid eviction is to pay rent on time and follow the terms of the lease agreement. Do not conduct illegal activities or allow others to break the law in your rental unit. You should also maintain a good business relationship with your landlord or property manager so if you do have problems with rent payments or complying with the lease, they will be more likely to work with you.

What should I do if I get an eviction notice?

Contact your landlord immediately. If you owe rent but can pay it soon, you can ask the landlord to agree to a written repayment plan. Be aware that the landlord does not have to agree to a repayment plan. If the issue is a different type of violation, make sure you clearly understand what the issue is so you can address it.

DON'T WAIT!!! Get legal help as soon as possible and **COMMUNICATE** with your landlord, owner or property manager to determine what options may be available.

You can also call 2-1-1, the information and referral service.