

Preparing to Leave

What if I don't understand why I am being evicted?

Utah court proceedings require landlords to provide tenants with a clear and concise explanation of why they are being evicted before heading to court. You should talk to your landlord as soon as you get a notice to find out what the problem is and how you might be able to fix it.

If you have no good defense to eviction, you will have to move out.

You can try to negotiate with the landlord by agreeing to move out on a certain date in the very near future (such as one week) in exchange for the landlord not filing an eviction action against you through the court.

The landlord does NOT have to agree to negotiate with you and AFTER the initial notice period, does NOT have to accept monies toward the rental amount. The landlord also does NOT have to accept partial rental amounts during the cure period but can choose to do so if they choose to work with you and your lease.

There may be legal consequences if you stay longer than the notice to vacate time-period.

What if I move out during the notice period?

The landlord cannot file an eviction lawsuit against you if you have already moved out. The landlord can still file a collection action against you for unpaid rent and damage to the property. A debt collection action can result in garnishment of your wages if it is not paid. In addition, if you are served with a Summons and Complaint for a debt collection matter, you MUST respond to the court or you could face the default judgement in this action as well.

Always Respond to Any Court Notice

WARNING



If you are served with a Summons and Complaint for eviction, there is very little time to respond (usually only 3 days)

If you get a Summons and Complaint and do NOT respond to the court, a judgement will be entered against you “by default”. This means you will be evicted AND a judgement will be entered and you will be ordered to pay the money asked for the Complaint filed against you.

If you are in a low-income household, a subsidized rental property, a mobile home park tenant, a senior citizen, or the victim of domestic violence, please utilize the listings in the back of this Toolkit under Legal Resources to assist you.