

Eviction!

- ▶ Eviction is a legal process that a landlord can use to remove you from your rental unit.
 - ▶ Should it go through, it can be a PERMANENT legal mark on your ability as a renter: Prevent this from happening!
- ▶ Important: A landlord *cannot* throw you out of your home without taking you through the 5-step eviction process



Step 1: Notice

- ▶ The first part of the eviction process—landlord serves notice commanding you to leave.
- ▶ Types of notices
 - ▶ 3 day pay OR move out
 - ▶ 3 day notice to vacate (if you are disturbing your neighbors)
 - ▶ 3 day comply or quit
 - ▶ 15 day “No Cause” (Only with month-to-month)
 - ▶ 5 day notice to “tenant-at-Will”

Step 2: Lawsuit

- ▶ If you do not comply with your notice, the landlord may file a complaint with the court and serve these papers on you.
- ▶ Respond to the summons promptly.

Step 3: Trial

- ▶ Non-criminal
- ▶ Right to jury if you ask
- ▶ Judge decides if you have right to live in property

Step 4: Judgment

- ▶ If the judge decides that eviction is just, the tenant must move out by the judge's deadline.
- ▶ If the tenant does not move out, a sheriff can forcibly evict them.
- ▶ If the judge decides in your favor, they may require that the landlord gives you some money
- ▶ Keep in mind that you can appeal an eviction judgment within 10 days after it is issued by the judge (request forms from Utah Legal Services)

Unsafe/Unsanitary Housing



Dealing With Unsafe/Unsanitary Housing

- ▶ Avoid withholding rent to force repairs. Very risky.
- ▶ Sue landlord for reimbursement for rent paid because you could not fully enjoy premises for a period of time.
- ▶ Give landlord written notice of the problems. If the landlord does not make repairs, make the repairs and sue for reimbursement.

Homelessness

- ▶ Homelessness and tenuous working conditions are a real problem in Utah. (In 2010, 3,372 people were homeless*).
- ▶ There are a number of services offered by the state and by charitable organizations for people without housing or threatened to lose housing. See our resource sheet.

*From The 2010 Comprehensive Report on Homelessness—State Gov. Data

Student Advocacy - We're here to help!

- ▶ Renters' Rights Issues
- ▶ Domestic Violence
- ▶ Sexual Assault/Violence
- ▶ Emergency Loans (\$240)
- ▶ Academic Appeal Process
 - ▶ i.e. grade change
- ▶ Discrimination/Bias Response Support
- ▶ DUIs/MIPs
- ▶ All other legal issues

Questions?

Please contact us for further information/referrals!

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