

LANDLORD EVICTION CHECKLIST

Determine nature of action: Different types of violations of the lease require the issuance of different notices to terminate the tenancy. It is the notice that terminates the tenancy. The tenancy must be terminated before you can file an eviction complaint in court.

non-payment of rent

Issue 3 day notice

Did tenant tender rent?

full amount: case closed

partial: issue new 3-day for the balance due or reject the partial payment and file complaint

no: File complaint non-payment of rent

Lease violation

curable: issue 7 day notice to comply

complied in 7 days: case closed, unless violation re-occurs within 12 months then can file complaint based on original notice.

not complied: file complaint for lease violation

incurable: issue 7 day notice of lease termination

tenant moved out in 7 days: case closed

tenant in still possession after 7 days: file complaint incurable lease violation

Termination of Tenancy – month to month or week to week

Issue Notice of Non-renewal (15 day notice, 7 day notice for week to week).

tenant moved out: case closed

tenant in still possession: file complaint for possession & double per diem rent.

Lease expired on its own terms: no notice is required. File complaint for possession & double per diem rent.

The above notices should be posted at the leased premises and NOT mailed !

If you are not able to post it yourself and do not have someone to post the Notice for you, you can use a process server to post the notice for you for \$30.00.

Contact Charles Patterson at 954-709-9555 if you need help with posting the notice.