



Landlord Letter

March 2018

Utah Apartment Association & the PAC



The phrase “There’s Strength in Numbers” applies to being a landlord too. If you were to ask around, the issues and problems you deal with everyday as a landlord are probably not too unique. We all have horror stories or unique ways to approach a problem. For this reason, it’s important for landlords to learn from each other instead of making the same mistakes over and over.

We commonly get asked “What resources are available to landlords?” One of our first answers is always that they should join the Utah Apartment Association (www.uaahq.org). The UAA is

Utah’s premier landlord association, but it is grossly underused in our opinion.

On a basic level, the UAA offers top of the line education and forms for landlords to use. From lease agreements to fair housing forms, the UAA forms cover nearly every situation a landlord could find themselves in. They also have at least monthly meetings to provide valuable education and networking opportunities, and mark your calendar for their annual Education Conference and Trade Show that is coming up on Wednesday, April

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What people are saying about US!!!

Dave and his team answered all my questions quickly...I feel much better and more confident about doing evictions now. Nice to have someone on your side to help since evictions are never fun.



~P.J. Orem —Google Review

DOs & DON'Ts of... Changing the Locks

✓ Communicate with your tenants to see if they have voluntarily vacated.

✓ Store any personal property that was left behind.

✓ Take pictures of any items left at the property and add it into your file.

● ✗ Change the locks unless either (1) you have an Order of Restitution signed by the Judge or (2) the tenant has abandoned the property.

● ✗ Throw personal items away — follow Utah Law. For any questions, contact us for a free Landlord Consultation!



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25, 2018 at the Mountain America Expo Center (formerly the South Town Expo Center). At each of these events, the networking opportunities are very beneficial. Knowing your peers in the industry gives you someone to ask questions to and refer business back and forth.

One of the largest (but unnoticed) benefits of the UAA is the advocacy they provide. How would it impact you as a landlord if each city, county or the state had a say in what rents you could charge? How devastating would it be if a tenant stopped paying rent and it took months to go through the eviction process? What financial impact would you have if you were forced to deal these issues without the UAA? It could easily mean thousands of dollars to a landlord if they have to deal with an eviction or government imposing on their rights. Landlords in Utah are in a

much better situation because of the legislative efforts that the UAA provides, but there is still work to do. In fact, there's always work to do.

If the rental industry has been good to you, you should consider being good to the rental industry by doing two things: (1) becoming a member of the UAA and participate in their events and programs, and (2) donate to the UAA's legislative efforts by calling their office (801-487-5619) or sending them a check.

With the thousands and thousands of Utah landlords that participate in the UAA, there is definitely strength in numbers. I would encourage you to get more involved and participate in the UAA to help you become a more experienced landlord. You'll be able to avoid many problems that other landlords might have to deal with, and you'll be better equipped to handle problems that come up .

Attorney Jeremy Shorts

Dear Attorney,

I gave my tenant a lease termination notice for last month. They have not moved and they deposited another month of rent directly into my bank. What should I do??

You should decide what you want (the tenant to leave or accept the rent), and then stick to it. If you accept the payment, you've probably created a new monthly rental agreement which would cancel the lease termination notice you served last month. If you want to enforce the lease termination notice you gave, you need to promptly and clearly reject the payment and continue with an eviction.

To reject a payment under these circumstances, you should promptly contact the tenant (preferably in writing) and let them know that the payment is rejected and ask them where they would like you to return the funds.

The key is to clearly communicate your intentions to your tenant, but also be cautious about how and when the funds are returned. If they deposited a personal check yesterday and you mailed out a return check today, they still could put a stop payment on their check and you'd be out additional funds.



Know Your Notice

•Three Day Notice for Criminal Acts•

Purpose: To evict tenants who have committed crimes on the property.

Like other eviction notices, it must be served in person, posted or sent via certified mail. It cannot be given verbally, texted or emailed.

Based on the seriousness of the actions, the tenant may not have an opportunity to cure the problems. They must vacate the property in 3 days or they will be guilty of unlawful detainer.

Use this notice if your tenants have committed criminal acts on the property that cause risk of health, sanitation, or damage to your property, other tenants or neighbors.

This can become a he said she said battle, so document any criminal acts. Witnesses and/or police reports are critical in proving the grounds for eviction.

Landlord Laughs — Interesting Lockout

Landlords often deal with uncomfortable situations and interesting characters. Constables and Sheriffs can empathize with you.

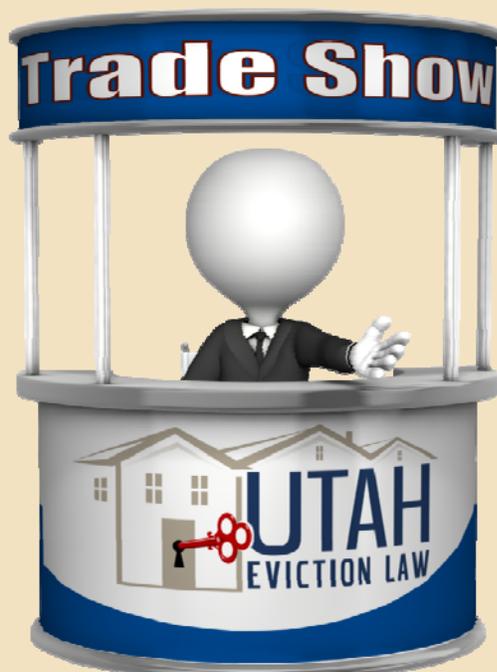
We had obtained an eviction order for a client and sent to the constable to conduct a lockout. The constable knocked on the door and could hear people inside, but no one would answer the door. With the eviction order in hand, the constable announced he was entering the property and opened the door.

Once he entered, the male tenant who was being evicted stood in the hallway completely naked refusing to leave. Eventually the Sheriff's office was called to assist with an arrest if needed. After some discussion (still with no clothes in sight), the ultimatum was given that the tenant would be leaving the house WITH or WITHOUT clothes. The tenant finally agreed to both (1) put on clothes and (2) vacate the property.



Utah Apartment Association Trade Show
Wednesday April 25th, 2018; 8 AM to 5 PM

Mountain American
Expo Center
 (formally South Towne Expo Center)
Sandy, Utah



More details to come in
 April's newsletter

Parting Thoughts

- We're working to build our readership, tell your friends to subscribe to this FREE newsletter. Send us an email info@utahevictionlaw.com.
- Have an eviction question? Email it to us for a future newsletter!
- Help us build our online presence! You can "Like" our Facebook page (www.facebook.com/utahevictionlaw).
- You can also give us a Five Star Google Review (search "Jeremy Shorts Utah Reviews" click on our link).

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