



Landlord Letter

December 2026

Deck the Halls... But Don't Ignore the Law!

The holiday season is a time for giving, celebrating, and enjoying family traditions. But for landlords, it can also bring unique challenges. While you may want to extend goodwill to your tenants, remember that Utah law doesn't take a holiday break.

A common issue we see in December tenants being late on their rent. Many tenants feel financial pressure this time of year and may ask for "just a little extra time" because of Christmas expenses. As a landlord, you always have the choice to extend grace, but legally the deadlines of the lease remain the same. If rent is not paid on time, Utah law allows you to serve a 3-Day Pay or Vacate notice. If they fail to pay, you are permitted to move forward with an eviction.

Another recurring issue is unauthorized decorations. Tenants love to spread holiday cheer, but gi-

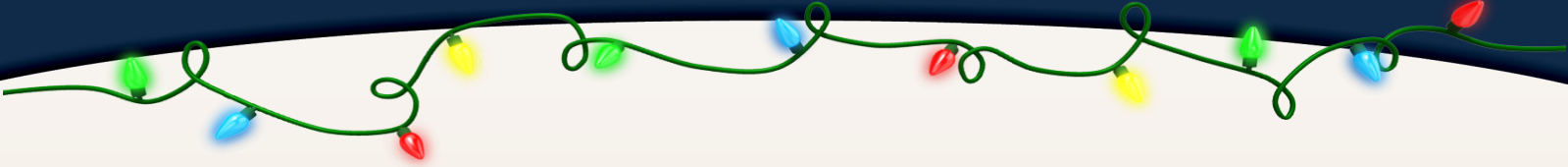
ant inflatable Santas on roofs, staple guns in siding, or drilling holes into exterior walls can cause damage. Lease agreements typically prohibit these types of alterations, and landlords have the right to enforce those provisions in their lease. Communicating a friendly reminder to your tenants before the season begins can help prevent disputes.

Holiday gatherings can create another set of potential problems. While most parties are harmless, some cross the line with loud music, parking problems, or unruly guests. Under Utah law, such actions can be a violation of the lease or even nuisance behavior which can justify eviction. Judges don't usually see "holiday spirit" as a valid defense.

This Christmas season, landlords should aim to balance compassion (when appropriate) with consistency in protecting their property and enforcing agreements. If the landlord is experiencing these

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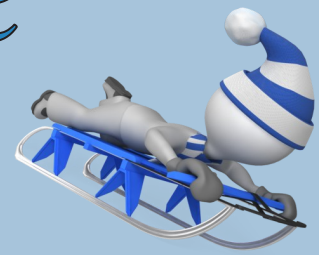
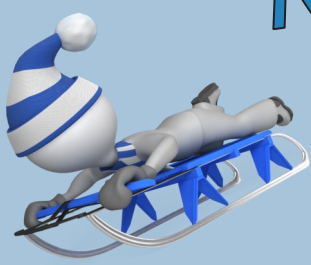
problems with their tenants, the chances are the neighbors that live right next door are also bothered by this behavior. Communicating expectations early (before there are any actual problems) can help prevent misunderstandings and keeps everyone on the “nice list.”

Peace on earth should also mean peace of mind for landlords and their tenants. If you run into holiday-related tenant troubles, our office is here to help you navigate the law and keep things merry and bright. Merry Christmas!

-Attorney Jeremy Shorts



Know Your Notice



• Abandoned Personal Property •

Purpose: Addresses personal property left behind by a tenant .

This is a recent change under Utah law when handling abandoned personal property.

If the landlord is going to sell, donate or dispose of any items, they must give a notice of sale to the tenant at least five days prior to the sale.

A landlord does not have to store hazardous materials, animals, garbage, perishable items, etc.

Instead of storing items for 30 days, the law requires the landlord to store the items for 15 days.



Dear Attorney,

Q: *I think my tenant abandoned the property, what should I do?*

A: If your tenant has gone silent and you suspect they have abandoned your rental unit, you should be cautious. It may be tempting to assume they have abandoned the property, but you should be careful and follow Utah law. Cutting corners can create serious legal issues.

Under Utah law, abandonment is more than just a “gut feeling.” If you suspect a tenant has abandoned the property, the safest step is to document the situation and then serve a 24-hour Declaration of Abandonment. This notice states why you believe the property is abandoned and needs to be posted on the property. The 24-hour period excludes weekends and holidays.

If the tenant fails to respond within 24-hours, the

landlord can change the locks and re-take possession of the property. You can then begin with the normal cleaning and repairs in order to get the unit re-rented to a new tenant.

If the tenant has left behind any personal items, you can then serve (by posting and mailing) a 15-day abandoned personal property notice. This starts a 15-day storage period for the items they left behind. If they fail to retrieve their items within 15 days, the items can be sold, donated or discarded.

Be careful not change locks, dispose of belongings, or re-rent the property without following these steps. Mishandling abandonment can expose you to potential liability. When in doubt, consult with an eviction attorney to protect yourself and ensure you’re acting within the law.



Quick Tips ... Record Keeping & Evidence



Memories fade, so document **EVERYTHING** when it's fresh.



Get witness statements and contact information in case they move.



A picture is worth a thousand words
(1,000 pictures = 1M words).



Don't want to track paper files? Use a scanner.





Courtroom Chronicles

We deal with some unusual situations every now and then. Okay, maybe it's more often than "every now and then". In one of our odd cases, our client proposed an odd solution.

The landlord thought their tenant had abandoned the property, but they weren't sure. They were thinking of ways to prove that the tenant had actually abandoned the unit. They had come up with their own plan and wanted our advice.

The landlord wanted to leave a bag full of cash inside the unit to see if the tenants would take it or would call the landlord about the bags of cash. If the

tenants left the cash there, then it was obviously abandoned. If the cash was gone, then it wasn't abandoned.

It was a creative (but expensive) idea. However, we told them NOT to do it. Abandonments are much easier to prove (see Dear Attorney article on page 3).

There are better investments of your time and money than an expensive sting operation like this. And if you have bags of money to give to your tenants, maybe just give the bags of money to your favorite eviction attorneys?



What people are saying about US!!!

Working with Jeremy Shorts and his team has been nothing short of wonderful. They are so knowledgeable, helpful, and quick to support. I appreciate their assistance and proper guidance and would recommend their services!

~Amanda — Google Review