



Landlord Letter

April 2019

UAA Trade Show

I often have clients that lament about having to go through the eviction process with a problem tenant. We often get asked – “What should I do so I never have to hire you again?” My first piece of advice is to properly and thoroughly screen your tenants. A significant portion of our work is because a landlord didn’t take a rental application, didn’t verify employment or income, and didn’t do a background check.

My second recommendation is to join the UAA and participate in their events. They offer great

training and forms that help cover almost any situation. One of their largest events is their annual Education Conference and Trade Show from the Utah Apartment Association. Mark your calendar for Wednesday, April 24, 2019 9at the Mountain America Expo Center, 9575 State St, in Sandy (formerly the South Towne Expo Center) from 8:00 AM to 5:00 PM.

They will have dozens of vendor booths (including ours - #203) with different contacts and companies that can help you with every aspect of being a landlord. From getting help with repairs and maintenance to playing games and entering drawings to win free prizes, you won’t be disappointed. Whether you’re an experienced property manager or just

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**Jeremy is presenting at the
UAA Trade Show**

April 24th, 2019

8:00am—5:00pm

2:15pm—Eviction Class

**Mountain America Expo Center
(formally South Town Expo)**

getting started with your first rental, we highly recommend the UAA Trade Show to everyone.

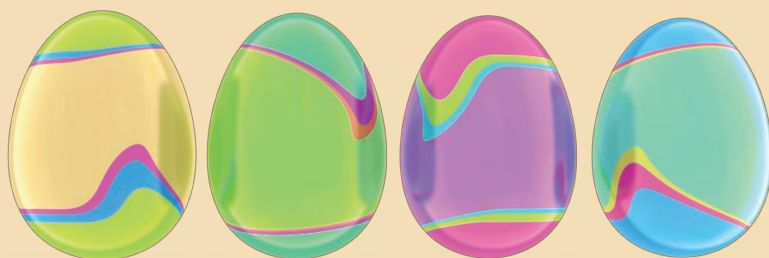
If you are a licensed real estate agent there are also several CE credit options, including our Eviction Training class at 2:15 PM. Our cases always give us interesting and educational stories, which is a background for our eviction class. Come and learn not only about how to avoid evictions, but also how to build a strong case if you end up having to file an eviction. Even if you don't have any immediate eviction issues you're dealing with, they can arise quickly so it's best to know your rights early to be prepared when (not if) you end

up in an eviction.

Make sure you register early by visiting the UAA's website – www.uaatradeshow.com. The cost is \$45 for the full day trade show, or \$70 for the trade show plus lunch (which is a nice lunch with a speaker), but the benefits of attending and the tips and tricks you'll learn will help you to be a better landlord.

These are just a few of the benefits of the UAA. Come to the trade show to see if joining the UAA would be a good fit for your business.

Attorney Jeremy Shorts



Know Your Notice

•Nuisance•

Purpose: Used to terminate your lease based on your tenant's actions that constitute a nuisance.

Use this notice when your tenant is interfering with someone else's comfortable and quiet enjoyment of their life or property.

A nuisance can be anything that injures someone's health, is indecent, or is offensive.

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

*Some typical types of nuisance:
Disturbing neighbors, late and loud parties, smoking, gambling, prostitution, buying/manufacturing/selling drugs.*

Dear Attorney,

My tenant passed away and the family wants access to the property. What should I do?

You should be cautious here. If you give one family member a key and they remove items, you open yourself up to liability if other family members complain. Don't give a key to the family members just because they ask. There are three main situations where family members have access to the unit.

First – is if the deceased tenant gave the family a key (which doesn't involve you since the tenant did that themselves).

Second – The family has to begin the probate process with the court to appoint a personal representative of the

estate (usually results in the court signing “letters testamentary”).

Third – The family can provide you with a “Small Estate Affidavit” which attests to the following four points: (1) the estate is worth less than \$100,000; (2) 30 days has lapsed since the death; (3) no application has been filed to appoint a personal representative; and (4) the person giving the affidavit is entitled to the property.

Until one of these things happens, you can usually place the personal items in storage and prepare the unit to be re-rented.

Quick Tips of Security Deposits

- ✓ Require the initial payment (rent & deposit) to be paid via certified mail or in
- ✓ Make sure your lease outlines the terms of the deposit (when it's paid, what it can be used for, and what portion is refundable) and don't allow the deposit to be used for rent.
- ✓ If the deposit has NOT been paid, apply the next rent payment towards the deposit and let the tenant know the rent has not been paid. Serve a three day pay or quit if needed.
- ✓ Do not assume the tenant will not ask for the deposit back after they have left. Ensure you detail how the deposit was applied and properly notify the tenant of the deposit disposition.

Courtroom Chronicles

Finishing an eviction with a lockout often leads to interesting stories and situations, which is why we always recommend that you use an authorized and experienced professional to perform the lockout and enforce the order.

In a recent case the constable arrived at the property to change the locks. After he knocked and announced who he was, the tenant responded that she was in the tub and that she would get ready and then meet them outside. Instead of getting dressed, the tenant called the police to report “an armed intruder” in her home.

The constable was waiting outside when he began to hear sirens. Very quickly a fleet of cop cars arrived with lights and sirens blaring. Guns were drawn in the beginning, but after talking with the constable for only a few minutes the police recognized what was going on. The police supported the constable in enforcing the eviction order and changing the locks. Avoiding problems like this is just another reason to hire professionals to get the job done.



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).



What people are saying about US!!!

I totally recommend Jeremy and his staff. It only took three weeks for the dead beat tenants to leave. He and staff told me exactly what I needed to do. Once the paperwork was submitted and the judge signed it, the tenants were evicted so quickly...

~Andi —Google Review