

NOTICE OF EVICTION

THREE DAY NOTICE TO VACATE FOR COMMITTING WASTE

This Notice is Given to Tenant(s):
Name: _____
Address: _____

This Notice is Given by Landlord(s):
Name: _____
Address: _____

(And all other tenants known)

Phone: _____

You are subject to eviction within 3 days under Utah Code § 78B-6-802(1)(d) for committing waste to premises as follows:

You are required to vacate the premises within three calendar days, counting weekends and holidays. If you do not comply with this notice, you will be served with a Summons and Complaint for unlawful detainer. Unlawful detainer is when you remain in possession of rental property after the owner serves you with a lawful notice to leave, such as this eviction notice. If you are found by the court to be in unlawful detainer, you will be evicted by the court and you will be liable for: (1) any rent due and unpaid through the end of your rental agreement, less any amounts the landlord receives from the next tenant; (2) damages caused by your unlawful detainer of the rental property; (3) damages for any waste of the rental property caused by you, if and only if the landlord alleges them in a court complain and proves them at trial, or submits them to the court by affidavit in the event of your default (Waste is damage you cause beyond normal wear and tear.); (4) damages as provided in Utah Code Ann. § 78B-6-1107 through 1114 for the abatement of nuisance, if any, caused by you. (Abatement of nuisance means to stop a nuisance.); and (5) attorney fees and court costs. If your lease requires mediation, you must alert us in writing within three calendar days of your willingness to participate in mediation. Mediation shall take place within seven days of receipt of your written notification. If you fail to provide this written notification within three days and/or you fail to participate in mediation within seven days, be advised that your landlord intends to proceed with legal or equitable relief.

You will also be liable for three times those damages allowed to be trebled under Utah Code Ann. § 78B-6-811 which may include trebling damages mentioned above. Rent due and unpaid shall be trebled each day you remain in the premises after this notice expires. Damages under (2) are the reasonable rental value or reasonable value of the use and occupation of the premises for each day you remain after the expiration of this notice. In most cases, trebling damages under (2) means that the court will times the amount you have been paying for rent by three for every day you remain in the property after the last day you were given to leave under this eviction notice. Please contact your landlord to discuss this situation.

RETURN OF SERVICE AND SELF AUTHENTICATION DECLARATION

This Notice was served on the above-listed tenant(s) on this _____ day of _____, 20_____, in one (or more) of the following manners:

- _____ **Personal Service.** A copy was delivered to the tenant personally.
- _____ **Posted Service.** A copy was posted in a conspicuous place on the premises, as no one was home.
- _____ **Suitable Age & Discretion – Residence.** A copy was left with a person of suitable age and discretion at tenant's residence and a second copy was mailed to tenant's residence.
- _____ **Suitable Age & Discretion – Place of Business.** A copy was left with a person of suitable age and discretion at tenant's place of business and a second copy was mailed to tenant's place of business.
- _____ **Certified Mail.** A copy was sent through certified or registered mail to tenant's address.

Pursuant to Utah Code Ann. §46-5-01, I declare under criminal penalty that the foregoing is true and correct.

Signature of Notice Giver: _____

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