

NOTICE TO THE LANDLORD, MANAGEMENT & MAINTENANCE STAFF:

NO TRESPASSING

The landlord owns the property but **the tenant has the exclusive right to possession** and to quiet and peaceful enjoyment. Exclusive possession is included in the rent. The landlord may not enter the rented premises without prior notice to the tenant.

“An unauthorized entry or intrusion by the landlord constitutes a trespass to the same extent as an entry or intrusion by a stranger, and the tenant may maintain an action of trespass against a landlord as well as against any other wrongdoer.”

49 American Jurisprudence 2d §437 (2007)

A Salt Lake City ordinance (18.96.080(C)) requires: **“Except in case of emergency the property owner shall give the tenant at least twenty-four hours notice of plans to enter and may enter only between eight a.m. and ten p.m.”** Murray City (15.28.100(C)), South Salt Lake (8.40.120(C)), West Valley City (16.9.108(3): only between 8 a.m. and 8 p.m.) Salt Lake County (15.32.080(C): only between 8 a.m. and 8 p.m.) and St. George (4-7-13(C): only between 8 a.m. and 8 p.m.) have the same rule. Under the Utah Fit Premises Act, no tenant may unreasonably deny access to the landlord for the purpose of making repairs. But a tenant’s denial of access is reasonable when the landlord has failed to give advance notice. Even if the tenant has not paid the rent, the tenant retains the right to exclusive possession until the landlord obtains a court order evicting the tenant or the tenant abandons the premises.

BE ADVISED:

The tenant may seek immediate police intervention by calling 911 to report any intrusion by the landlord, management or maintenance staff.

Utah Legal Services, Inc.
Civil legal assistance for low-income Utahns
205 North 400 West
Salt Lake City, Utah 84103
(801) 328-8891 or 1-800-662-4245 toll free
Additional offices in Ogden, Provo, Cedar City and St. George