

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)

Utah Code §57-22-4(2), part of the Utah Fit Premises Act, states: “ Except as otherwise provided in the rental agreement, **an owner shall provide the renter at least 24 hours prior notice of the owner's entry into the renter's residential rental unit.**” Owners and tenants can agree to more notice but likely not less than 24 hours. Numerous local ordinances designate when a landlord may enter after giving notice: Salt Lake City (18.96.080(C) only between 8 a.m. and 10 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.) Logan (15.25.080: between 8 a.m. and 8 p.m.) and St. George (4-7-13(C): only between 8 a.m. and 8 p.m.). 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