

# NOTICE: DECLARATION OF ABANDONMENT

TO: \_\_\_\_\_,  
AND ALL OTHERS IN POSSESSION OF THE PREMISES LOCATED AT:

ADDRESS: \_\_\_\_\_

**YOU ARE HEREBY NOTIFIED THAT THE OWNER DECLARES THESE PREMISES ABANDONED.** Pursuant to UTAH CODE ANN. § 78-36-12.3 (1953), abandonment shall be presumed in either of the following two situations:

1. The rent on this property has been due and unpaid for more than 15 days, you have not notified the owner that you would be absent from the premises, and there is no reasonable evidence that you are occupying the premises other than the presence of your personal property. **OR:**
2. The rent on this property has been due and unpaid for 1 day or more, you have not notified the owner that you would be absent from the premises, your personal property has been removed from the premises, and there is no reasonable evidence that you are occupying the premises.

**YOU ARE FURTHER NOTIFIED** that pursuant to UTAH CODE ANN. § 78-36-12.6 (1953) if you have left personal property on the premises, the owner is entitled to remove your property to storage, and recover from you the actual moving and storage costs. If you make no reasonable effort to recover your personal property within 30 days from the date of this notice, it will be sold or donated to charity.

**YOU ARE FURTHER NOTIFIED** that pursuant to UTAH CODE ANN. § 78-36-12.6 (1953) the owner is retaking the premises and will endeavor to re-rent them at a fair rental value for your benefit. You will be liable for:

- (a) the entire rent due for the remainder of the term; or
- (b) for rent accrued during the period necessary to re-rent the premises at a fair rental value, plus the difference between the fair rental value and the rent agreed to in the prior rental agreement, plus a reasonable commission for the re-renting of the premises and the costs, if any, necessary to restore the rental unit to its condition when rented by you less normal wear and tear. This subsection applies, if less than subsection (a), notwithstanding that the owner did not re-rent the premises; and
- (c) the actual moving and storage costs incurred in removing and storing your personal property.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2002, AND SERVED in accordance with the provisions of UTAH CODE ANN. § 78-36-6 (1953).

Owner/Manager \_\_\_\_\_