

Ask a KKC Attorney



Attorney Meghan Smith

Q: I own rental property and need to evict my tenants. Is there a certain process I should follow?

A: If not done properly, eviction can turn into a lengthy and complicated process. If title to your property is held in the name of a limited liability company, you will need to hire an attorney to assist you. The first step is to serve your tenant with a “Notice to Quit,” outlining the reason for the eviction (e.g. non-payment of rent). You must give the tenant 3 days’ notice between receipt of the Notice to Quit and the date they must vacate the premises.

If the quit date passes and the tenants have not vacated, you may begin the eviction process with the Court by preparing a Summons and Complaint and having it served in the same manner as the Notice to Quit.

Once the Summons and Complaint is served, you are responsible for filing it with the Court. The Court will schedule a trial date, where a Housing Specialist will attempt to resolve the case with an acceptable resolution. If the case cannot be resolved, you will go in front of a judge and have a trial.

Hiring an attorney to assist you with the process of evicting a tenant can help make the process easier and quicker.

Meghan Smith is an associate at Kahan Kerensky Capossela’s Vernon office. She focuses her practice on business, real estate, and landlord/tenant issues. Contact her at 860-812-1735 or msmith@kkc-law.com.