

INSTRUCTIONS FOR NOTICE TO QUIT PREMISES IN WYOMING

Read these instructions carefully.

You can use this form to begin an eviction process. A property is called “premises.” With this notice, you are telling someone to leave (“quit”) your property. The property could be a piece of land or an apartment, house, or other building.

Before You Get Started

In Wyoming, the legal process of evicting someone from a property is called Forcible Entry and Detainer or FED. This name is complicated, but it means that the person who owns the property believes the person who is occupying (staying in) the property does not have a legal right to be there.

If you file an FED (eviction) case, you are telling the Court “this person does not have a legal right to stay at the property, and I want a judge to order this person to leave.”

If you want to start an FED (eviction) case, you must begin with a Notice to Quit Premises.

Important Note: Do **not** file the Notice to Quit Premises at the Court. These instructions will explain what to do with the form.

The top of the page on the Notice to Quit Premises.

The Notice has its title at the top, between two long lines. (Sometimes this form is called a “three day notice to quit” but Notice to Quit Premises is the title used on these forms.)

After the title, you will see blank lines. On the line labelled “To” write the name of the person or people you want to evict. On the line labelled “Address” write the full address where that person lives or works.

Usually, this is also the address for the property you want that person to leave.

The next sentence tells the person or people that you want them to leave the property. Do not change this sentence or add any words to it.

Next, you will see three checkboxes. Mark only one. If there are blank lines on the choice you marked, fill in the information on those lines.

The Reasons Section.

The section begins by telling the person, again, to leave the property. You will use this section to tell them **why** you believe they do not have a legal right to stay there.

Use the checkboxes to mark your reasons. You can mark as many boxes as you need to explain the reasons, but the information must be accurate. If this case goes to Court, the judge will need to see that your Notice gave a meaningful explanation. This means you must make it easy for the person to understand why you believe you have the right to evict them. Think carefully about which boxes you check.

If you check a box that has blank lines after it, **you must write an explanation on the blank lines**. To figure out which statutes the person violated (that means, which laws they failed to follow) you can read the statutes (laws) on Page 3 of the Notice. You can find more information about reading the statutes in the Important Things You Need to Know section below.

Signature Section – Important!

This section begins with a reminder to you that all of the pages are necessary for the Notice to Quit Premises to be complete.

It then warns the people occupying the property that they must leave within three days. If they do not leave, you might start a court case to have them evicted. Do not change the words in this section.

On the line labelled DATED, write the date you are signing the form. Sign your name on the signature line. Print your full name clearly on the line labelled Printed Name.

By signing the form, you are saying that everything you wrote on the form is true. Review your answers carefully before you sign the form.

After you complete the Notice, you need to serve it.

Serving the Notice to Quit – Important!

Remember that you cannot start an eviction case in the Court if you have not given the person in the property the correct notice. For the notice to be correct, you must complete the Notice to Quit Premises and serve the person or people who are occupying the property.

When you **serve** them, you are giving them the Notice to Quit Premises, and this must be done in the **correct way**.

To tell the Court that you served the Notice in the correct way, you will use a form called Affidavit of Service. You can get this form from the Wyoming Judicial Branch website.

You can serve the Notice yourself, or you can ask or hire someone to be the “process server.” The person who serves the Notice must be 18 years old or older. The person who serves the Notice will fill out most of the Affidavit of Service. Where these

instructions say “you,” it means you or the process server.

How to Serve the Notice:

There is a statute (law) that explains the correct ways to serve a Notice to Quit Premises.

- You can hand the Notice directly to the person you want to evict.
- You can leave the Notice where the person **lives**. This is sometimes called “posting” the Notice. Be sure to leave the Notice where the person will find it. Secure it so it will not blow away. It is a good idea to take a picture that shows where you posted the Notice. If the person is there when you go to serve the Notice, hand it directly to them.
- You can leave the Notice where the person **works**. This is sometimes called “posting” the Notice. Be sure to leave the Notice where the person will find it. Secure it so it will not blow away. It is a good idea to take a picture that shows where you posted the Notice. If the person is there when you go to serve the Notice, hand it directly to them.

It is important to serve the Notice to Quit in a way that will actually let people know you expect them to leave the property. It is a good idea to serve a separate copy of the Notice for each adult you want to evict.

It is also a good idea to keep one copy of the Notice for yourself.

After you serve the Notice, fill out the Affidavit of Service. If somebody other than you serves the Notice, that person should fill out the Affidavit of Service. The blank lines are asking for the county where the property is located, the name of the person who served the Notice, the names of the people who were given the Notice (the people you want to evict), and the date when the Notice was served.

Then use the checkboxes to give accurate information about how the Notice was served. The Affidavit of Service will use the word “Defendant” for the people you want to evict. This is because, if they do not leave the property and you have to take your case to Court, the people you want to evict will be Defendants in the Court case.

Be sure to write information on the blank lines after the checkboxes to explain where the Notice was served to the Defendant.

Signature Section – Important!

The person who served the Notice must sign the Affidavit of Service. Do not sign this form until you are in front of a Notary. The Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both.

Review your answers carefully before you sign the Affidavit of Service.

The Notary will fill out the bottom of the page, beginning with the line that says “subscribed and sworn.”

Note: If you paid for a process server to serve the Notice, the process server will write the cost on the line labelled Service Fees. If you do have to take this case to Court, the judge might order the Defendant to pay you back for those service fees.

Important Things You Need to Know

How do I use the laws to explain my reasons?

The laws about Forcible Entry and Detainer (eviction) list many reasons that people could be ordered to leave your property. You are expected to clearly explain which reasons you think apply in this situation. The Notice to Quit Premises must include those explanations so the person you are evicting will know *which* laws they failed to follow and *how* they failed to follow them.

On the Notice, some of the possible reasons have long blank lines after them. You will need to read the statutes to figure out if those reasons apply. If they do apply, you will need to explain what the person did that violated the statute (failed to follow the law).

Two statutes are written out on the last page of the Notice. The first statute lists things each renter must do. The second statute lists things each renter is not allowed to do. You will need to read each part carefully and figure out if the person’s behavior violated that part of the statute. If the person’s behavior *did* violate that part of the statute, write your explanation on the blank lines in the Notice.

Here is an example:

The statutes require a renter to “Dispose of all garbage and other waste in a clean and safe manner.” This is statute **1-21-1204** part **(a)(ii)**. If a renter violated this part of the statute, the Notice could be filled out something like this:

You violated W.S. 1-21-1204(a)(ii) by: (Be specific.)

putting six bags of trash in the bathtub

What is a Notary and where can I find one?

A Notary Public (usually just called “a notary”) is a person who has a license to witness people signing legal papers and to confirm that the signatures are authentic (which means the signatures are real and were done on purpose). **A notary will probably require you to show your driver’s license or some kind of photo ID to prove that you are really you.**

Some notaries charge for their services, but it is usually easy to find a notary who will witness your signature and sign your paper for free. If you have an account at a local bank, you can probably get free notary services at that bank. Most libraries also offer free

notary services.

Important Note: The Notice to Quit Premises does *not* require a notary signature, but the Affidavit of Service *does*.

What will happen after I serve the Notice?

You must wait at least three days to give the people on your property time to leave.

If they do not leave within three days, you can prepare a *Complaint for Forcible Entry and Detainer (Eviction)* and file that in Circuit Court. You can find that form and instructions on the Wyoming Judicial Branch website. Filing the Complaint is how you start a Court case to ask a judge for help.

What if the person is not at the property anymore but they left their stuff?

You can use a form called *Notice of Abandoned Property* to help you follow the law when dealing with the stuff that was left behind. You can find that form and instructions on the Wyoming Judicial Branch website.

What if the person is not at the property anymore but they owe me money?

If the person is not occupying your property anymore, you will not file a Complaint for Forcible Entry and Detainer because you do not need the Defendant to be evicted.

Instead, you can file a different kind of case to ask the Court for a judgment ordering the Defendant to pay you money.

Who can help me with these forms?

It is important for you to know that Court Clerks are not allowed to help you fill out these forms. Here are some free resources that can help:

- Legal Aid of Wyoming Hotline. This Hotline gives you an opportunity to talk with a lawyer. 1-877-432-9955. This service is for people who have limited income and limited assets.
- Wyoming Free Legal Answers. This website gives you a chance to privately ask questions about your situation and then receive answers from a lawyer. <https://wyoming.freelegalanswers.org/> This service is for people who have limited income and limited assets. The volunteer lawyers on the website cannot assist with business matters, which includes owning or managing rental properties.
- Volunteer Reference Attorney Program. This program lets you have a short informational meeting with a lawyer. You can learn about the locations and dates by checking the calendar on the Equal Justice Wyoming website. This service is for people who have limited income and limited assets. Volunteer Reference Attorneys cannot assist with business matters, which includes owning or managing rental properties.
- Natrona County Court Navigator Program. If your case is in Natrona County, you can get help from a trained Court Navigator. Visit the Court Navigator page on the Wyoming Judicial Branch website to learn more.

If you do not qualify for the free services above, you can contact the Wyoming State Bar at 307-632-9061 for referral to Wyoming lawyers. (Those lawyers charge for their services.)