

# SOP: Legal Compliance and Eviction Processes

This SOP details the **legal compliance and eviction processes**, covering tenant rights, landlord responsibilities, notice requirements, documentation procedures, court filings, and enforcement of eviction orders. It ensures adherence to relevant laws and regulations while protecting the interests of both landlords and tenants throughout the eviction process.

## 1. Purpose

To outline the standardized procedure for initiating and executing eviction processes in compliance with applicable legal requirements, ensuring fair treatment of both the landlord and tenant.

## 2. Scope

This procedure applies to all lease agreements and rental properties managed by the organization, including residential and commercial units.

## 3. Responsibilities

- **Property Manager/Landlord:** Ensure legal compliance and proper documentation throughout the eviction process.
- **Legal Counsel:** Review procedures and provide advice when necessary.
- **Tenant:** Comply with lease terms and legal obligations.

## 4. Procedure

1. **Identify Grounds for Eviction**
  - Non-payment of rent
  - Lease violations
  - Illegal activities
  - Other applicable grounds as per local laws
2. **Review Relevant Laws**
  - Consult applicable federal, state, and local regulations.
3. **Serve Written Notice**
  - Use appropriate notice type (e.g., Pay or Quit, Cure or Quit, Unconditional Quit).
  - Follow statutory timeframes for notices.
  - Deliver notice via legally accepted methods (personal delivery, certified mail, etc.).
4. **Document All Actions**
  - Retain copies of all correspondence and notices.
  - Keep detailed logs of communication and tenant responses.
5. **File Court Proceedings**
  - If compliance or vacancy is not achieved, file for eviction with the proper court.
  - Include all required documentation (lease, notices, proof of delivery, logs).
6. **Attend Court Hearing**
  - Present evidence and follow court directives.
7. **Obtain and Enforce Eviction Order**
  - If eviction is granted, coordinate with local law enforcement for enforcement.
  - Respect all court-ordered timelines and procedures.
8. **Post-Eviction Steps**
  - Document property condition upon tenant removal.
  - Process security deposit in accordance with the law.

## 5. Tenant Rights & Landlord Responsibilities

Tenant Rights	Landlord Responsibilities
Receive legally required notice	Provide proper notice as per local statutes
Opportunity to cure or respond	Maintain thorough documentation
Due process and fair hearing in court	Comply with all legal procedures
Receive any due security deposit refund	Process deposit returns as required

## 6. Documentation Checklist

- Lease agreement
- Notice of eviction (type and date served)
- Proof of service/delivery method
- Communication records
- Court filings and orders
- Property inspection reports

## 7. References

- Local and state landlord-tenant laws
- Fair Housing Act
- Applicable court procedures

## 8. Revision History

Version	Date	Description
1.0	2024-06-29	Initial SOP creation