

**78B-6-1111 Landlord, owner, or designated agent -- Necessary party -- Automatic eviction.**

- (1) A landlord, owner, or designated agent is a necessary party defendant in a nuisance action under Sections 78B-6-1107 through 78B-6-1114 for entry of an order to abate the nuisance by eviction where the acts complained of are those of third parties upon the premises of the landlord, owner, or designated agent.
- (2) In the presence of the applicant, the tenant and the landlord, owner, or designated agent at the court's hearing on the action to abate the nuisance by eviction, the court shall notify the necessary parties of its finding that:
  - (a) a nuisance exists as defined in Section 78B-6-1107; and
  - (b) as a result, the court is issuing an order to evict the tenant subject to compliance with the security requirement in Section 78B-6-1112.
- (3) In all cases, including default judgments, the order of abatement by eviction may be issued and enforced immediately.

Renumbered and Amended by Chapter 3, 2008 General Session