



Trespassing



Trespassing is a legal way to address guests who cause problems on your property. Trespassing can be a great tool to use when managing your property, **if it is used in the correct way.**

To Trespass an Individual:

1. The trespass notice **must** be served in person. Remember, only a staff member can trespass an individual from the property.
2. Use the official trespass notice authorized by the City of Plymouth.
3. Treat the individual with respect.
4. Fill out the trespass notice completely.
 - a. Use the individual's proper first, middle, and last name and their date of birth.
 - b. You must include the **specific conduct** that led to the trespassing. This conduct should have occurred within the past 30 days.
 - i. Specific conduct would be: vandalism, harassment, narcotics, etc.
 - c. Make sure you include all addresses associated with your property.
 - d. The trespass notice can be in effect up to one year, not longer.
 - e. You may fill out "Property Manager" under the section referencing who to contact with regards to modifying the notice.
5. Explain the trespass notice to the individual.
6. Have the individual check the box by "I acknowledge receipt of this notice" and then have them sign on the line. *If the individual refuses to sign the notice, go to step #8.*
7. Give the individual the top copy of the trespass notice.
 - a. If the individual refused to sign, take the remaining 3 copies of the trespass notice to a notary public and sign in the area under the dashed lines "(If not served by a police officer) I verify that I personally handed...". The notary will then check the box and fill in the "Subscribed and sworn before me..." section.
8. Keep the yellow copy of the trespass notice for your records.
 - a. Make sure you document reasons why the trespass was issued for your files.
 - b. If the individual is visiting a resident, contact the resident and advise them why the individual was trespassed. If it is a lease violation to invite a trespassed individual back onto the property, make sure you inform the resident of this and document everything in writing. (*Note: Check your lease and with your legal counsel for appropriate wording in your lease agreement that would make it a lease violation to invite a trespassed person back to the property.*)
9. Mail the pink and gold copies of the trespass notice to the Police Department.

You may request that a police officer serve a trespass notice for you if you feel the situation or individual may cause a problem when you trespass them. Call **9-1-1** *when the individual is on your property.* Make sure you give a full description of the individual (name, age, race, clothing, etc.) when calling 9-1-1.

Do not trespass an individual unless they have done something wrong on your property. You cannot trespass someone simply because they look suspicious or you do not like them.

Do not mail a trespass form to an individual and believe the person is officially served.

Do not give false information to the police officer and tell them an individual was not invited by a resident when you know that they were. **Remember, your residents can legally invite a trespassed person to their unit. This is not a trespass violation. However, this does not give the trespassed individual reason to be on the property when the resident who invited them is not there.**

Finally, don't forget that trespassing **is not to be used to address unauthorized residents or guests.** *You must go through proper eviction proceedings to deal with unauthorized residents.*