

# SOUTH DAKOTA EVICTION NOTICE

## (NOTICE TO QUIT)

Date: \_\_\_\_\_, 20\_\_\_\_

This notice is sent to \_\_\_\_\_ (“Tenant”) and further directed to all residents, occupants, subtenants, and any others in possession of the Premises.

Property Address: \_\_\_\_\_ (“Premises”)

Lease Start Date: \_\_\_\_\_, 20\_\_\_\_ (“Lease”)

In accordance with your Lease and the laws of South Dakota, after service on you of this notice, you are hereby given the following instructions:

*(Check the Appropriate Box)*

- **NONPAYMENT.** The Landlord hereby demands the total amount due:

- Past Rent: \$\_\_\_\_\_ For the period of: \_\_\_\_\_

- Late Fees: \$\_\_\_\_\_ Details: \_\_\_\_\_

- Other Fees: \$\_\_\_\_\_ Details: \_\_\_\_\_

Total Amount Due: \$\_\_\_\_\_

Payment Instructions: \_\_\_\_\_.

If the above payment is not made immediately, the Tenant will be required to quit and deliver possession of the Premises or face an eviction action in court.

- **NONCOMPLIANCE.** You are hereby required to remedy the following violation of your Lease: \_\_\_\_\_.

This is out of compliance with your Lease. You are hereby obligated to notify the Landlord within a reasonable amount of time that the violation has been cured or quit and deliver possession of the Premises.

- **MONTH-TO-MONTH TENANCY.** Within 30 days of the next payment date, you are hereby required to quit and deliver possession of the Premises in accordance with your Lease.

**YOU ARE FURTHER NOTIFIED** that the Landlord hereby elects to declare that forfeiture of your Lease under which you hold possession of the Premises if you fail to perform or otherwise comply. Such noncompliance will institute legal proceedings to recover rent and possession of said Premises which shall result in a judgment against you including costs



and necessary disbursements together with possible statutory damages as allowed by law for such unlawful detention.

**Landlord Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_-\_\_\_\_\_

E-Mail: \_\_\_\_\_

# AFFIDAVIT OF SERVICE

County of \_\_\_\_\_

State of \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_

**I. SERVER.** I, \_\_\_\_\_ (“Server”), declare under penalty of perjury that a notice for eviction was delivered and served in the following manner:

**II. RECIPIENT.** The notice for eviction was delivered to:

a.) Defendant/Respondent: \_\_\_\_\_ (“Recipient”)

b.) Address/Location: \_\_\_\_\_

c.) Date & Time: \_\_\_\_\_, 20\_\_\_\_ Time: \_\_\_\_:\_\_\_\_  AM  PM

**III. DELIVERY.** The Recipient received the eviction notice by: (check one)

- **Mail.** The Server sent the eviction notice in the mail by: (check one)

- Standard Mail

- Certified Mail (with return receipt)

- FedEx

- UPS

- Other

- **Direct Service.** The Server handed the eviction notice to a person identified as the Recipient.

- **Someone at the Residence.** The Server handed the eviction notice to someone who identified as living at the residence and stated their name is:

\_\_\_\_\_.

- **Someone at the Workplace.** The Server handed the eviction notice to someone who identified to be the Recipient’s co-worker and stated their name is:

\_\_\_\_\_.

- **Leaving at the Residence.** The Server left the eviction notice in the following area: \_\_\_\_\_.

- **Recipient Rejected Delivery.** The Server delivered the eviction notice to the Recipient in-person and did not accept delivery.

- **Other.** \_\_\_\_\_.

**IV. VERIFICATION.** I declare under penalty of perjury under the laws located in this State that the foregoing is true and correct.

**Server Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

