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## **What to do about eviction**



# **Kansas Eviction Process Explained: From Notices to**

# Court Hearings

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## Need Legal Assistance?

Contact Kansas Legal Services at **316-267-3975** or [apply online](#).

For general information on tenant rights, visit: [Tenant Issues and Rights for Kansas Renters](#).

## How does eviction work?

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**A landlord CANNOT evict you by shutting off utilities, or by changing the locks.**

- If this happens, you might be able to sue your landlord in small claims court and get up to one and one-half (1-1/2) month's rent.**

## **3-Day Notice (Non-Payment or Lease End)**

A landlord **CAN** evict you by giving you **3 days notice to leave the property.**

- This applies for not paying rent or staying after your lease ends.
- **Action Required: If you do not leave or pay the rent within 3 days, the landlord will start the eviction lawsuit.**

## **14-Day Notice (Lease Violation/Noncompliance)**

For material noncompliance with the lease (e.g., unauthorized pets, unauthorized occupants) other than non-payment of rent:

→ **The landlord must serve you with a Kansas eviction notice of 14 days to comply with the violated part of the lease.**

- The notice must state the lease will end 14 days after service unless the issue is fixed.

- If you fix the problem, send the landlord a written letter detailing how (e.g., "I removed the pet").
- **Critical: If you do not fix the issue, you must vacate within the following 30 days or legal action will begin.**
- If you get a second violation notice, you don't get a second chance to fix it, even if you fixed the first problem.

## If the Landlord Starts Legal Action

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### Receiving the Summons and Petition

→ **You will receive a Petition (why you are being evicted, amount owed) and a Summons (when you must go to Court).**

- This may be received by mail, by the Sheriff, or taped to your front door.
- The Court date on the Summons will happen within 14 days after you get the Petition.

## **⚠ CRITICAL: DO NOT MISS COURT**

**IF you do not go to court on this first date, the landlord automatically wins (called default) and gets everything they asked for (money owed and possession of the property).**

## **Filing an Answer and Defenses**

**IF you disagree with the petition** (money or possession), you should go to the first court hearing and can file an **Answer** before the trial.

→ **In the Answer, you state the facts and any legal defenses you have against the claims.**

- **Examples of Defenses:**

- **The landlord accepted partial rent, so you don't owe the whole amount.**
- **The unit was not livable (requires proof like a housing inspection and notice to the landlord).**
- **The landlord failed to fix an unsafe or unsanitary condition despite written notice.**

- You were evicted based on discrimination (religion, gender, or disability).

A date for an **eviction trial** will be set at the first court hearing, usually no later than 8 days later. The landlord must prove you failed to pay rent or did not fix the lease violation.

**IF the landlord wins, the court will issue a judgment of possession, and you will be given a certain time to move out (possibly as little as 24 hours).**

## What if the Landlord Refuses Rent?

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The rent is legally “paid” when you properly send it, even if the landlord won’t accept it in person.

→ **The rent is considered "paid" when you put it in the mailbox, stamped and addressed to the landlord.**

- You can also put it in a landlord’s dropbox. **Do NOT** put it in the landlord’s mailbox (only the US Post Office can do that).
- **Proof is Key: Use a money order with the date on it, and always take a picture of the check/money order showing**

**the date and/or a picture of yourself mailing it within the 3-day window.**

## **What About Personal Property Left Behind?**

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If you left personal property behind, the landlord can **take your belongings, place it in storage (at your cost), sell it, or get rid of it 30 days after taking possession.**

**Landlord Requirement:** Within 15 days, the landlord must publish notice in the newspaper (your name, description of property, disposal date) AND mail a copy of the notice to your last known address.

You have **30 days** to claim your property, but you must pay for any costs the landlord incurred (storage, publishing notice, etc.).

## **Property Taken While I Was Moving Out?**

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**IF** the landlord illegally takes your property while you're still living in the unit:

→ **You must make a written request for them to return your property or give you access to it.**

- Give a deadline and keep a copy of your written request for your records.

## What is the Fair Housing Act?

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The Fair Housing Act prohibits discrimination in the sale or rental of housing and other discriminatory practices.

- The landlord **MAY NOT** discriminate against tenants on the basis of **race, gender, religion, familial status, disability, or ethnicity.**
  - A landlord **CAN** consider criminal history, credit rating, and financial stability.
- The act requires landlords to make **reasonable accommodations for individuals with disabilities** (e.g., changes to rules or services) that are necessary for the person to have equal opportunity to use the dwelling.

→ For more details, Read about [Fair Housing Rights that Protect You Under the Law.](#)

Last updated on November 25, 2025.

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