

Abandonment

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What Rules Does My Landlord Have to Follow Before Claiming My Rental Unit Abandoned?

If the landlord reasonably believes you have abandoned your home, and your landlord wants to remove all of your belongings from your home, Missouri law requires your landlord to take several steps before declaring your home abandoned. Your landlord must post a written notice on your home. In that notice, in addition to other requirements, the landlord must state his belief you abandoned your home. The landlord must also mail the written notice via first class and certified mail to your last known address.

If you do not respond in writing to the landlord's notice and you are more than 30 days past due with your rent, the landlord may have the right to enter your home and remove your belongings.

The landlord will not be able to claim abandonment if you pay all the rent due **or** you respond in writing within 10 days of the posting and mailing of the landlord's notice. In your **written** response you must inform the landlord that you are still living in your home. You should date your written response and keep a photocopy with all your other important papers.

The abandonment statute is located at Section 441.065 of the Missouri Revised Statutes.

Prepared by Legal Services of Eastern Missouri, Inc. (LSEM). LSEM provides this educational information as a public service. It is not legal advice. Sometimes the laws change. Always consult a lawyer, if you can, before taking legal action. The mission of LSEM is to provide high-quality civil legal assistance and equal access to justice for low-income people in Eastern Missouri. Last updated: June 2014.

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