

FORMS QR CODE



**PROCEDURES FOR FILING AN EVICTION CASE
FOR TERMINATION OF MONTH-TO-MONTH
RENTAL AGREEMENT**

- These instructions apply only to an eviction case that arises when a Landlord terminates a month-to-month residential rental agreement.
- The eviction forms mentioned below are located on the Kansas Judicial Council website: <https://www.kansasjudicialcouncil.org/legal-forms/civil-actions/chapter-61/evictions>.
- Scan the QR code in the upper left corner to locate the forms online.
- Forms the Landlord may use to file an eviction case following termination of a month-to-month rental agreement:
 - PRE-EVICTION NOTICE OF TERMINATION OF MONTH-TO-MONTH RENTAL AGREEMENT AND NOTICE TO LEAVE PROPERTY
 - PETITION FOR EVICTION
 - CIVIL COVER SHEET
 - SELF-REPRESENTED LITIGANT CERTIFICATION FORM
 - EVICTION SUMMONS
- The Landlord will need more than one of the following documents.
 - PRE-EVICTION NOTICE OF TERMINATION OF MONTH-TO-MONTH RENTAL AGREEMENT AND NOTICE TO LEAVE PROPERTY – one copy for the Tenant and one for the Landlord’s records, and if the eviction case is filed, a copy to attach to the PETITION;
 - PETITION FOR EVICTION – at least one copy for the clerk, one for the Landlord’s records (which the Landlord may wish to request the clerk to file stamp), and one for each Tenant;
 - CIVIL COVER SHEET – at least one copy for the clerk and one for the Landlord’s records;
 - SELF-REPRESENTED LITIGANT CERTIFICATION FORM – at least one copy for the clerk and one for the Landlord’s records (which the Landlord may wish to request the clerk to file stamp);
 - EVICTION SUMMONS – at least one copy for the clerk, one for the Landlord’s records, and one for each Tenant.

1. Before filing an eviction case after terminating a month-to-month rental agreement, the Landlord must give each Tenant notice terminating the rental agreement and notice to leave. The Landlord may combine these two types of notice into one notice.
2. The Landlord should complete the PRE-EVICTION NOTICE OF TERMINATION OF MONTH-TO-MONTH RENTAL AGREEMENT AND NOTICE TO LEAVE PROPERTY.
3. If the Tenant does not move out within the stated time period, the Landlord may choose to file an eviction case. To begin an eviction case, the Landlord should complete the forms listed below.
4. Complete the PETITION FOR EVICTION.
5. The Landlord must complete a CIVIL COVER SHEET. The Landlord must mark the following items:
 - a. In the “Civil” section, where it states “If a CH. 61 \$ _____ (Judgment Demand Amount),” enter the total amount the Landlord seeks from the Tenant.
 - b. In the “Civil” section, under “Contract,” mark “Landlord/Tenant – Unlawful Detainer.”
 - c. Next to the “Jury Demand,” check “Yes” if the Landlord wants a jury trial, or “No” if the Landlord wants the judge alone to decide the case.
 - d. Next to “Summons Attached,” check “Yes.”
 - e. Next to “Service By,” check:
 - i. “Process Server/Attorney” if the Landlord plans to serve the Petition by return receipt delivery (see paragraph 10 below) or by hiring a process server;
 - ii. “Sheriff in State” and fill in the name of the County if the Tenant is in Kansas and the Landlord wants the sheriff to serve the Petition; or
 - iii. “Sheriff out of State” if the Tenant is outside the state of Kansas. This is highly unlikely, and the Landlord may need to consult an attorney.
 - f. Next to “Sheriff’s Process Fee Attached,” check “Yes” if the Landlord checked (e)(i) above. Check “No” for the other options.

GETTING HELP

- The Kansas Judicial Branch provides resources for people who represent themselves in court without an attorney and information about how to obtain legal help. You can find that information at: <http://www.kscourts.org>.
- The Kansas Bar Association may be able to connect you with a lawyer you can hire. You can find information at www.ksbar.org.
- The [Kansas Residential Landlord and Tenant Act](#) laws are K.S.A. 58-2540 – 58-2573.
- Laws about the [eviction process](#) are K.S.A. 61-3801 – 61-3808.