

Read Before Completing The Eviction Summons Form

Caution!

If the leased or rented property is part of a legal entity, such as a business, a corporation or a limited liability company, **Stop! You can't use these forms!**

Only a lawyer licensed to practice in North Dakota can represent a legal entity in an eviction. Non-lawyers aren't allowed to represent legal entities in evictions. Legal documents signed by non-lawyer agents of a legal entity are considered void.

(See [Wetzel v. Schlenvogt](#), 2005 ND 190; and [State ex rel. Department of Labor v. Riemers](#), 2008 ND 191.)

Who May Use This Packet of Eviction Forms:

An individual who owns the property that was leased or rented to another **and**:

- The leased property is owned by an individual who is a **natural** person; in other words, owned by a human being;
- The leased property **isn't** owned by an **artificial person**; in other words, a legal entity, such as a business, a corporation or a limited liability company; **and**
- The circumstances meet the requirements for eviction in North Dakota.

Who Can't Use This Packet of Eviction Forms:

A non-lawyer when:

- The leased property is owned by an **artificial person**; in other words, a legal entity, such as a business, a corporation or a limited liability company.

Only a lawyer licensed to practice in North Dakota can represent a legal entity in an eviction.

- Contact the State Bar Association of North Dakota Lawyer Referral Service at (866) 450-9579.
- A list of all lawyers licensed to practice in North Dakota is available at ndcourts.gov/lawyers.

State Of North Dakota
County Of _____

In District Court
_____ Judicial District

_____,
Plaintiff, (landlord)

vs

_____,
Defendant (tenant).

Case No. _____

Summons

The State of North Dakota to the Above Named Defendant:

1. You are hereby summoned and required to appear in District Court and answer the attached Complaint for Eviction of the Plaintiff at a hearing scheduled at the _____ County Courthouse in the city of _____, North Dakota, on _____ (date) at _____ p.m. a.m.

2. The purpose of this action is to evict you from the premises which you occupy, located at _____ (address), and owned by the above-named Plaintiff. This action is brought under Chapter 47-32 of the North Dakota Century Code (N.D.C.C.).

3. If you fail to appear and answer at the time and place of the hearing, judgment by default will be taken against you for the relief demanded in the Complaint for Eviction.

4. Rule 13 of the North Dakota Supreme Court Administrative Rules allows a Judicial Referee of the District Court to hear and decide eviction actions brought under N.D.C.C. Chapter 47-32. You have the right to have your case heard and decided by a Judge of the District Court, instead of a Judicial Referee.

5. If you want a Judge of the District Court to hear and decide this eviction action, you must file a written request with the Clerk of this District Court within seven (7) days after receiving this notice of the eviction hearing.

Dated _____.

(Plaintiff Signature)

(Plaintiff Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)