



# STATE OF NORTH DAKOTA COURTS

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## Eviction for Tenants

### Overview of Eviction

Eviction is an accelerated, or sped up, civil legal action to determine the right to possess the property. The eviction legal action takes place in North Dakota state district court.

North Dakota eviction law strictly limits the ability to combine eviction with other claims related to the lease agreement.

In North Dakota, a landlord may evict a tenant for one or more of the eight grounds (reasons) for eviction allowed by North Dakota law.

The eight grounds (reasons) for eviction are:

1. A party, by force, intimidation, fraud, or stealth, has entered upon the prior actual possession of real property of another and detains the same.
2. A party, after peaceably entering upon real property, turns out by force, threats, or menacing conduct the party in possession.
3. A party, by force or by menaces and threats of violence, unlawfully holds and keeps the possession of any real property, whether the possession was acquired peaceably or otherwise.
4. A lessee, in person or by subtenant, holds over after the termination of the lease or expiration of the lessee's term, or fails to pay rent for three days after the rent is due.
5. A party continues in possession after a sale of the real property under mortgage, execution, order, or any judicial process and after the expiration of the time fixed by law for redemption, or after the execution and delivery of a deed, or after the cancellation and termination of any contract for deed, bond for deed, or other instrument for the future conveyance of real estate or equity in the real estate.
6. A party continues wrongfully in possession after a judgment in partition or after a sale under an order or decree of a district court.
7. A lessee or a person on the premises with the lessee's consent acts in a manner that unreasonably disturbs other tenants' peaceful enjoyment of the premises.
8. The lessee violates a material term of the written lease agreement between the lessor and lessee.

The eviction process moves very quickly in North Dakota. If you're served a 3 day notice to evict or a summons and complaint for eviction, consult a lawyer as soon as possible.

If you must represent yourself, review the informational guide below for all of the information and resources available from the North Dakota Legal Self Help Center about the eviction process.

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### Eviction Informational Guide:

Forms **are not** available for every legal issue, circumstance or procedure in a district court civil action. If you do not find a form on this website, the form **is not** available through the North Dakota Legal Self Help Center.

You may need to create legal documents yourself. The General-Use forms in the District Court Civil Action Section of this website may be used as a starting point for creating your own legal documents.

- [Eviction For Tenants Informational Guide](#)
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## Selected Statutes (Laws) & Rules

Following are legal research starting points related to evictions. You may need to conduct additional legal research into your legal issue. See the Legal Research Section of this website.

- [Chapter 14-02.5 of the North Dakota Century Code](#)
  - [Chapter 23-10 of the North Dakota Century Code](#)
  - [Chapter 47-16 of the North Dakota Century Code](#)
  - [Chapter 47-32 of the North Dakota Century Code](#)
  - [North Dakota Rules of Civil Procedure](#)
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## Other Resources

Following are other resources related to eviction that may be of interest.

- [Legal Services of North Dakota Housing, Landlord/Tenant and Eviction Education Materials](#)
  - [North Dakota Department of Labor – Human Rights Division](#)
  - [North Dakota Office of the Attorney General Consumer Resources](#)
  - [North Dakota Vulnerable Adult Protective Services \(VAPS\)](#)
  - [S. Department of Housing and Urban Development \(HUD\)](#)
  - Legal Research Resources for Eviction ([Flickertale](#), February 2020, Pages 12-13)
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If you do not understand any of this information, or if you have trouble filling out any of the forms located here, please see an attorney for help.

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If you have a question relating to a case that is already filed please contact the [clerk of court](#) for the county.