

## **CHAPTER 47-17 TERMINATION OF ESTATES**

### **47-17-01. Month's notice terminates estate at will.**

A tenancy or other estate at will, however created, may be terminated by the landlord's giving notice to the tenant in the manner prescribed by section 47-17-02 to remove from the premises within a period specified in the notice of not less than one month.

### **47-17-02. Notice to terminate estate at will - Form - Service.**

The notice prescribed by section 47-17-01 must be in writing and must be served by delivering the same to the tenant or to some person of discretion residing on the premises. If neither can be found with reasonable diligence, the notice may be served by affixing it on a conspicuous part of the premises where it may be read conveniently.

### **47-17-03. Re-entry or action for possession.**

After the notice prescribed by sections 47-17-01 and 47-17-02 has been served in the manner therein directed and the period specified by such notice has expired, but not before, the landlord may re-enter or proceed according to law to recover possession.

### **47-17-04. Three days' notice sufficient for re-entry.**

Whenever the right of re-entry is given to a grantor or lessor in any grant or lease, or otherwise, such re-entry may be made at any time after the right has accrued upon three days' previous written notice of intention to re-enter served in the mode prescribed by section 47-17-02.

### **47-17-05. Action for possession - Re-entry reserved - No notice required.**

An action for the possession of real property, leased or granted with a right of re-entry, may be maintained at any time after the right to re-enter has accrued, without the notice prescribed in section 47-17-04.