

# Trespassing

Trespassing is a legal way to address guests who cause problems on your property. Trespassing can be a great tool to use when managing your property if **it is used in the correct way**.

## To Trespass an Individual:

1. The trespass notice **must** be served in person. Remember, only a staff member, owner, etc can trespass an individual from the property.
2. Use the official trespass notice authorized by the City of Chaska.
3. Treat the individual with respect.
4. Fill out the trespass notice completely.
  - a. Use the individual's proper first, middle, and last name and their date of birth.
  - b. You must include the **specific conduct** that led to the trespassing. This conduct should have occurred within the past 30 days.
    - i. Specific conduct would be: vandalism, harassment, narcotics, etc.
  - c. Make sure you include all addresses associated with your property.
  - d. The trespass notice will be in effect for one year, not longer.
5. Explain the trespass notice to the individual.
6. Have the individual check the box by "I acknowledge receipt of this notice" and then have them sign on the line. If the individual refuses to sign the notice, go to step #8.
7. Give the individual the **yellow** copy of the trespass notice.
  - a. If the individual refused to sign, take the remaining copies of the trespass notice to a notary public and sign in the area under the dashed lines "(If not served by a Police Officer) I verify that I personally handed...". The notary will then check the box and fill in the "Subscribed and sworn before me..." section.
8. Keep the pink copy of the trespass notice for your records.
  - a. Make sure you document reasons why the trespass was issued for your files.
  - b. If the individual is visiting a resident, contact the resident and advise them why the individual was trespassed. If it is a lease violation to invite a trespassed individual back onto the property, make sure you inform the resident of this and document everything in writing. (Note: Check your lease and with your legal counsel for appropriate wording in your lease agreement that would make it a lease violation to invite a trespassed person back to the property.)
9. **Mail the white copy of the trespass notice to the Chaska Police Department (2 City Hall Plaza, Chaska MN, 55318 or email to: [notifications@chaskamn.com](mailto:notifications@chaskamn.com))**

You may request that a police officer serve a trespass notice for you if you feel the situation or individual may cause a problem when you trespass them. Call **9-1-1** when the individual is on your property. Make sure you give a full description of the individual (name, age, race, clothing, etc.) and reason for calling.

**Do not** trespass an individual unless they have done something wrong on your property. **You cannot trespass someone simply because they look suspicious, or you do not like them.**

**Do not** mail a trespass form to an individual and believe the person is officially served.

**Do not** give false information to the police officer and tell them an individual was not invited by a resident when you know that they were.

Finally, don't forget that **trespassing is not to be used to address unauthorized residents or guests**. You must go through proper eviction proceedings to deal with unauthorized residents.

# Trespass Notice

**TO: Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_

(Name of person receiving notice)

**Address:** \_\_\_\_\_

(Printed name of parent/guardian if person is under 18 years old): \_\_\_\_\_

**Specific conduct that forms basis for notice (include time, place, and circumstances):** \_\_\_\_\_

\_\_\_\_\_ **Date of Conduct:** \_\_\_\_\_

This notice is in effect: \_\_\_\_\_ and expires at 12:01 a.m. on: \_\_\_\_\_

(Date/ must be within 30 days of the date of conduct)

(one year from effective date)

**You are prohibited from entering the following premises, including all grounds, outbuildings, park areas and sidewalks thereto (premise addresses/name):** \_\_\_\_\_

-----

(If not served by a Police Officer) I verify that I personally handed a copy of this notice to the above person on the above date (specify if different date): \_\_\_\_\_

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

(Name of issuing person)

**At least one of the following must be completed:**

(check at least one of the below boxes)

Subscribed to and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

or

(Notary sign here)

I acknowledge receipt of this notice \_\_\_\_\_

or

(Trespassed Party)

Served by Police Officer \_\_\_\_\_

Badge Number: \_\_\_\_\_ Case # \_\_\_\_\_

(May be served by police only under authority of owner/manager/tenant/employee)

-----

**White Copy:** Chaska Police Department (mailed to CPD at 2 City Hall Plaza, Chaska MN 55318 or emailed a copy at [notifications@chaskamn.com](mailto:notifications@chaskamn.com))

**Yellow Copy:** Trespassed Party

**Pink Copy:** Issuing Party/Business/Company