

Cherokee Nation Code Annotated
Title 41: Landlord and Tenant
Chapter 2: Residential Landlord and Tenant Act
§ 113. Rental agreements
Cite as: 41 CNCA § 113

A. A rental agreement may not provide that either party thereto:

1. agrees to waive or forego rights or remedies under this act;
2. authorizes any person to confess judgment on a claim arising out of the rental agreement;
3. agrees to pay the other party's attorney fees;
4. agrees to the exculpation, limitation or indemnification of any liability arising under law for damages or injuries to persons or property caused by or resulting from the acts or omissions of either party, their agents, servants or employees in the operation or maintenance of the dwelling unit or the premises of which it is a part;
5. agrees to the establishment of a lien except as allowed by this act in and to the property of the other party.

B. A provision prohibited by subsection (A) of this section and included in a rental agreement is unenforceable.

C. Any prohibition provided by subsection (A) shall be superseded by MHO provisions mandated by federal law.

Historical Data

LA 17-91, eff. December 14, 1991.