

Cherokee Nation Code Annotated

Title 41: Landlord and Tenant

Chapter 2: Residential Landlord and Tenant Act

§ 123. Wrongful removal or exclusion from dwelling unit

Cite as: 41 CNCA § 123

If a landlord wrongfully removes or excludes a tenant from possession of a dwelling unit, the tenant may recover possession by a proceeding brought in Cherokee Nation District Court, or terminate the rental agreement after giving notice of such intention to the landlord, and in either case recover an amount not more than twice the average monthly rental, or twice his actual damages, whichever is greater. If the rental agreement is terminated, the landlord shall return all deposits recoverable under 41 CNCA § 115 and all prepaid and unearned rent.

Historical Data

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