

Cherokee Nation Code Annotated
Title 41: Landlord and Tenant
Chapter 2: Residential Landlord and Tenant Act
§ 134. Procedure for enforcement of lien
Cite as: 41 CNCA § 134

A. The lien provided for by 41 CNCA § 133 may be foreclosed by a sale of such personal property upon the notice and in the manner following:

The notice shall contain:

1. The names of the owner and any other party or parties who may claim any interest in said property;
2. A description of the property to be sold;
3. The value of the rent provided and unpaid and the dates thereof;
4. The time and place of sale;
5. The name of the party, agent or attorney foreclosing such lien.

B. Such notice shall be posted on the front door of the tenant's dwelling unit at least ten (10) days before the time therein specified for such sale, and a copy of said notice shall be mailed to the owner and any other party or parties claiming any interest in said property if known, at their last known post office address by certified mail on the day of posting. Party or parties who claim any interest in said property shall include owners of chattel mortgages and conditional sales contracts as shown by the records in the office of the county clerk in the county where the lien is foreclosed.

C. The lienor or any other person may in good faith become a purchaser of the property sold.

D. Proceedings for foreclosure under this act shall not be commenced until thirty (30) days after the lien has accrued.

Historical Data

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