

(II) THE COURT MAY ALSO GIVE JUDGMENT IN FAVOR OF THE LANDLORD FOR THE DAMAGES DETERMINED TO BE DUE TOGETHER WITH COSTS OF THE SUIT IF THE COURT FINDS THAT THE RESIDENTIAL TENANT WAS PERSONALLY SERVED WITH A SUMMONS, OR, IN THE CASE OF ~~ANY OTHER~~ A NONRESIDENTIAL TENANCY, THERE WAS SUCH SERVICE OF PROCESS OR SUBMISSION TO THE JURISDICTION OF THE COURT AS WOULD SUPPORT A JUDGMENT IN CONTRACT OR TORT.

(III) ~~A TENANT, OTHER THAN A RESIDENTIAL TENANT, A NONRESIDENTIAL TENANT~~ WHO WAS NOT PERSONALLY SERVED WITH A SUMMONS SHALL NOT BE SUBJECT TO PERSONAL JURISDICTION OF THE COURT IF THAT TENANT ASSERTS THAT THE APPEARANCE IS FOR THE PURPOSE OF DEFENDING AN IN REM ACTION PRIOR TO THE TIME THAT EVIDENCE IS TAKEN BY THE COURT.

(4) Nothing contained herein is intended to limit any other remedies which a landlord may have against a holdover tenant under the lease or under applicable law.

(b) (1) (i) Where any interesting property shall be leased for any definite term or at will, and the landlord shall desire to repossess the property after the expiration of the term for which it was leased and shall give notice in writing one month before the expiration of the term or determination of the will to the tenant or to the person actually in possession of the property to remove from the property at the end of the term, and if the tenant or person in actual possession shall refuse to comply, the landlord may make complaint in writing to the District Court of the county where the property is located.

(ii) 1. The court shall issue a summons directed to any constable or sheriff of the county entitled to serve process, ordering the constable or sheriff to notify the tenant, assignee, or subtenant to appear on a day stated in the summons before the court to show cause why restitution should not be made to the landlord.

2. The constable or sheriff shall serve the summons on the tenant, assignee, or subtenant on the property, or on the known or authorized agent of the tenant, assignee, or subtenant.

3. If, for any reason those persons cannot be found, the constable or sheriff shall affix an attested copy of the summons conspicuously on the property.

4. After notice to the tenant, assignee, or subtenant by first-class mail, the affixing of the summons on the property shall be conclusively presumed to be a sufficient service to support restitution.

(iii) Upon the failure of either of the parties to appear before the court on the day stated in the summons, the court may continue the case to a day not less than six nor more than ten days after the day first stated and notify the parties of the continuance.

(2) (I) If upon hearing the parties, or in case the tenant or person in possession shall neglect to appear after the summons and continuance the court shall