

EVICITION PROCEDURES

FIRST STEP

3-Day Vacate Letter (unless otherwise stated in contract) – (Warns tenant they have 3 days to pay or move, or court action will be taken. This can be done by:

- a) Certified Mail
- b) Constables Office (Pct 8 charges \$20.00 to deliver or post on door)
- c) Landlord may deliver BUT tenants need to sign that he/she has received notice.

SECOND STEP

Forcible Detainer – Civil Suit taking tenant to a Justice Court in the precinct of the rental property, asking for possession of the rental property and usually asking for the back rent owed as well.

- a) Constable delivers
- b) Officer must make 2 attempts to serve defendant personally before obtaining permission from the judge to post Forcible Detainer to the door.
- c) Filing fee is \$111.00

THIRD STEP

Writ of Possession – Order to move tenant out after judgment has been rendered.

- a) Must be served by an officer
- b) Landlord (or representative for landlord) must be present when deputy serves writ. Possession of property is then returned to the landlord.
- c) Landlord is required to obtain movers if necessary.
- d) Filing Fee is \$155.00