

**CHRISTOPHER BATES
CONSTABLE PCT 2
JEFFERSON COUNTY**

Eviction Procedure

First Step

A written vacate notice with a minimum of 3 days (72 hrs) is to be given. If there is a lease contract that states more days are to be given; that is the number of days to be used on the written vacate notice. The Notice must state name of person to be evicted, address of person, and reason for eviction. The notice is given to the tenant by the landlord. Keep a copy of the notice with the time and the date the notice is served. After the number of days to vacate have expired go to 2nd step.

Second Step – Cost \$111.00 (one person served)

File for an Eviction Citation. A Civil Suit must be filed in Justice of the Peace Court in the precinct where the property is located. After suit is filed, the Constable's office serves the Eviction Citation. A hearing date is normally set 14 days from the date eviction citation is filed. If judgment is in plaintiff's favor, Plaintiff can go to step 3 after the number of days specified by the Judge.

Third Step – Cost \$155.00

File for a Writ of Possession. This is an order to have the Constable's Office present at the property address and keep the peace while the landlord has person to be evicted removed. Once the Constable receives the Writ of Possession, a 24-hour notice is posted to the door of the property giving notice of the actual move out.

The Constable is not responsible for the physical moving of the tenant's personal possessions. The landlord needs to secure people to do the physical move out.

The landlord may not keep any personal possessions of the renters to satisfy back rent owed.

If the actual move out is over two hours, **the landlord is charged \$50.00 per deputy per hour** that it takes to remove all renters' personal possessions from the said property.