

EVICTION FLOW CHART

A.) Issue Initial Termination Notice (i.e. 72-hr, 30-day, Pet Violation)

Wait for cure date to expire

B.) File Legal Eviction (FED) in the proper county

First Court Appearance will be set for 8 to 12 days out approx.

C.) First Court Appearance; usually, 1 of 3 things can occur:

C-1.)

Tenant does not appear.
Landlord granted immediate judgment for restitution.

a. Notice of Restitution is filed (notice gives tenant(s) approximately 4-7 days to vacate).

b. If tenant(s) do not vacate per Notice of Restitution, **file Writ of Execution aka Sheriff Lockout.** This can add 1-5 days.

c. Serve Abandoned Property Notice (only necessary if items of value are abandoned). Notice dictates timeline.

d. Complete & send Final Accounting to previous residents within 31 days of receiving possession. This step can be costly to a Landlord if not done within the time the law allows.

C-2.)

Tenant appears & makes a court ordered Stipulated Agreement (i.e. payment plan, move out date). As long as court agreement is met, tenancy continues.

a. If Tenant defaults on Agreement, a Stipulated Notice of Restitution for Noncompliance is to be filed. This gives tenant(s) 4-7 days to vacate and/or request a Noncompliance Hearing within 1 week of issue date.

a (1). If a Noncompliance Hearing is requested, the Landlord, or Landlord Representative must be present at time of hearing. If Landlord prevails, file for Writ of Execution.

b. If tenant does not vacate per Noncompliance, file Writ of Execution aka Sheriff Lockout. This can add 1-5 days.

c. Serve Abandoned Property Notice (only necessary if items of value are abandoned). Notice dictates timeline.

d. Complete & send Final Accounting to previous residents within 31 days of receiving possession. This step can be costly to a Landlord if not done within the time the law allows.

C-3.)

Tenant appears & requests a trial.

a. Tenant must file an Answer (a 1-page form from courts where they are to list their legal defenses).

b. A trial fee is to be paid by both Tenant & Landlord at this time.

c. Tenant must serve Landlord w/ a copy & trial date is set.

d. Landlord must prepare for trial. Hiring a Landlord Attorney at this point is highly recommended, but not required.

Need Help? Give Landlord Solutions a call 503-242-2312

