

# Once you have filed for a **WRIT OF RESTITUTION**

A writ must be signed by a District Court Judge and sent from the District Court Clerks Office to the Sheriff's Office. Once a writ arrives in the Sheriff's Office, it is entered into our computer system and sent to the Eviction Section. In order for an eviction to proceed, Plaintiff must call the Eviction Section and request that an eviction date be scheduled. Please have the District Court case number available when calling.

## **Scheduling**

Eviction dates are scheduled on a first come, first served basis and are usually set within 1 or 2 weeks of the request. Evictions are usually scheduled for either 9:00 A.M. or 10:00 A.M. Monday through Friday.

**IMPORTANT:** A writ of restitution expires 60 days from the date of the Judge's signature. Call and schedule an eviction as soon as possible. If your eviction cannot be scheduled before the expiration date, you must have the District Court reissue the writ.

## **Plaintiff's Responsibility**

On the date of an eviction the Plaintiff or authorized representative must be present at the property, at the scheduled time, with the appropriate keys to gain entry, and should provide:

- A moving crew of at least 4-8 persons and any necessary moving equipment. More people may be required depending on the size and nature of the property.
- A person who can defeat the locks may be needed in order to gain entry.
- A truck or other means to get tenant's personal property to the nearest public right of way.
- Tools in case something has to be disassembled before it can be removed.
- Plastic bags for clothing and other small items.

Unavailability of sufficient or timely resources may result in the eviction being cancelled.

## **Weather Conditions**

If it is raining or snowing at the scheduled time of the eviction, the eviction will not proceed. However, if precipitation starts after an eviction has started, the eviction will continue until completion. If the predicted high temperature from the national weather forecast on the scheduled eviction date is 32 degrees or lower, evictions for that day will be cancelled.

## **Cancellations**

The Plaintiff should promptly notify the Sheriff's Office if an eviction has been canceled due to receipt of payment or other settlement with the tenant. If an eviction is canceled as a result of the unavailability of a moving crew or any of the items listed above under Plaintiff's Responsibility, the Eviction Section will attempt to reschedule the eviction, if there is an opening on our schedule before the writ expires. If an eviction is canceled as a result of bad weather it will be rescheduled as soon as possible.

## **Walk-Through**

If a property is empty, and there is no personal property to be removed, the Plaintiff may call the Eviction Section and request a walk-through. The Eviction Section will perform a walk-through as soon as resources allow.

# **WRIT OF POSSESSION**

These guidelines also apply to a Writ of Possession issued by the Circuit Court.

*If you have any questions, suggestions or problems that cannot be resolved during routine contact with the Eviction Unit staff, please contact the Eviction Unit Sergeant Fran Reda at 410-386-2609.*