



JEFFERSON COUNTY SHERIFF'S OFFICE

# EVICTION INFORMATION

When filing your paperwork with the courts,  
please be aware:

- A Sheriff's Deputy must be present at all evictions.
- At the eviction, the Deputy will only be able to remove from the property the people who are listed on your paperwork as defendants.
- **Adding the phrase "and all other occupants" to the defendants listed on your paperwork allows the Deputy to remove any other persons** who may be present at the property during the eviction (for example: additional occupants not listed on the lease, friends or guests of the tenants, etc.)
- If only a portion of a property is to be evicted, this should be specified on your paperwork (for example: "basement only", "rear bedroom only"). If only certain occupants at a property are to be evicted while other occupants will remain, this should be specified on your paperwork (for example: "John Doe and his belongings only").

## **SERVICE OF PROCESS FOR EVICTION PAPERWORK**

**The eviction process has three steps. As the plaintiff (landlord/owner), it is your responsibility to inform the defendant (tenant) of each step in the eviction process through the options described below.**

**STEP ONE:** Notice to Quit, Notice to Vacate, or Demand for Compliance (also referred to as a Three Day Notice)—the paperwork that informs your tenant you want them to leave the property, and for what reason.

- You may personally serve this to the defendant or post it on the door of the property.
- If you prefer, you may have the Notice served or posted by any uninterested party over 18 years of age, a private process server, or the Sheriff's Office. The Sheriff's Office fee for service is \$35 plus mileage.

**STEP TWO:** Summons, Complaint, and Answer in Forcible Entry and Detainer (also referred to as an F.E.D.)—the paperwork that informs your tenant that there is a court hearing in your case.

- You may not serve or post this yourself.
- You may have the F.E.D. served or posted by any uninterested party over 18 years of age, a private process server, or the Sheriff's Office. The Sheriff's Office fee for service is \$35 plus mileage.
- If the F.E.D. is served personally, then at your court hearing the judge will be able to make a ruling on both the property and any money due. If the F.E.D. is posted, then at the court hearing the judge will only be able to make a ruling on the property. You also have the option of pursuing a money judgment through small claims court.
- You should also mail a copy of the F.E.D. to the defendant—this completes service if the F.E.D. is posted rather than served personally.

**STEP THREE:** Writ of Restitution—the paperwork that allows a Deputy to evict the occupants of a property.

- The Writ of Restitution must be posted before the eviction can take place. You may not post it yourself.
- You may have the Writ of Restitution posted by the Sheriff's Office for a fee of \$35 plus mileage. **OR:**
- You may have the Writ of Restitution posted by any uninterested party over 18 years of age or by a private process server. If you do this, have the person who posts the Writ complete a Proof of Service form and sign it in front of a notary. Then, bring the Proof of Service and your Writ of Restitution to the Sheriff's Civil Unit to schedule the eviction.
- The Sheriff's Office fee for an eviction is \$130 plus mileage. After your Writ of Restitution has been posted, a Deputy will call you to schedule the eviction.
- You will be allotted 1 ½ hours for the eviction. The Deputy will be present to supervise the eviction. You are responsible to provide sufficient manpower to remove all belongings from the property, any necessary special moving equipment, and supplies (boxes/trash bags).

### **FOR MORE INFORMATION PLEASE CONTACT:**

For legal advice: your attorney or Jefferson County Action Center (free service) 303-237-7704

For information on the eviction process: Sheriff's Civil Unit 303-271-6580