

## **Eviction Procedure**

### **First Step**

A three-day, or 30 days for a lease, warning notice must be given to a tenant/tenants by the landlord stating that you will take them to court if they do not pay or move.

Keep a copy with time and date served or posted.

### **Second Step - Cost \$86.00**

Filing for a Forcible Detainer. A Civil Suit must be filed in the Justice of the Peace Court where rent property is located.

Once suit is filed, Constable serves the paper. A court date is set seven (7) days from the date served.

### **Third Step – Cost \$155.00**

A Writ of Possession is an Order to have the constable go out and keep the peace while a landlord has a tenant removed. The landlord files for a Writ five days after the judge renders a decision.

Once the Constable receives the Writ of Possession a 24-hour Notice is posted to the door of the rental property warning of the eviction date and time.

The Constable is not responsible for the physical moving.

**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 will be charged \$50.00 per deputy per hour** that it takes to remove all belongings from the said property.