

TENANT EVICTION INFORMATION

Filing fee \$185.00 *Plus \$17 per tenant (to prepare, sign and seal summons)* payable in cash, personal check or money order made payable to the **Clerk of Court**.

Sheriff service \$40.00 per adult (over the age of 18) money order/cashier check made payable to **Sheriff**. No cash or personal check accepted. This will be attached to the tenant eviction summons when issued and forwarded to the sheriff for service. **If the summons is delivered to the Sheriff's office personally, the Sheriff's office will only accept money order, cashier's check or the exact fee in cash (no change provided).**

PLEASE HAVE THE FOLLOWING READY BEFORE FILING YOUR TENANT EVICTION:

1. Written (legal) notice must be given **prior** to filing an eviction. The **original** of the written notice and two **copies** for **each tenant** named, must be provided to the Clerk at the time of filing.
2. One **original** complaint for eviction and **two copies** for **each tenant** named.
3. If a lease exists, a **copy** of the lease is needed for the **file** and **two copies** for **each tenant** named in the action. This is extremely important, as the case can be dismissed for failure to provide the court and the tenant(s) with said copies.
4. One **legal size tenant-addressed stamped** envelope for **each tenant** named, with no return.

If a judgment is rendered for possession of the premises, a Writ of Possession must be served to the residence. There is an additional fee of \$7.00 to prepare the Writ of Possession payable to the Clerk of Court and \$90.00 for serving the Writ payable to the Sheriff. The Plaintiff will take the Writ directly to the Sheriff's office and pay the proper fees to him as this fee is for serving this Writ only.

Please note, the eviction process can only be used when in fact there was an actual agreement for some type of rent to be paid. This agreement can be in writing, such as a lease, or rental agreement or it could be an oral agreement. Usually such agreements are for money but can be in lieu of work to be performed.

If no agreement has been made, either written or oral, you will need to seek the help of an attorney, as the simple eviction paperwork the Clerk's office can provide does not address any other issues.

When filling out papers for the complaint for eviction, all questions must be answered, all the blanks must be filled in, the actual complaint can be filled out by the manager of the property, but the **signature** must be of the **owner(s)** and it must be **notarized**. Included are motions for default, please have the owner(s) sign the appropriate default, it does not have to be notarized.

Instructions for filling out the three (3) day notice to pay or vacate.

- X Fill out top part only of the original.
- X Make a copy (do not use carbon paper).
- X Serve the **copy** to the tenant by handing it to them personally or posting it to the front door.
- X **DO NOT MAIL**
- X On the original notice tell us how you served it (bottom part). This **original** must accompany the eviction paperwork **when you file** your case or we can not accept your case.