

Unlawful Detainer (Eviction) Process



Termination Notice

Upon expiration of the Termination Notice, if the Tenant does not comply, then the Landlord may move forward with filing an Unlawful Detainer (Eviction) Case.



Summons & Complaint

The Summons & Complaint is filed with the Court and served upon the Tenant. Depending on the method of service, the Tenant will have between 5 to 15 days to respond.



If the Tenant Fails to Respond

If the Tenant fails to respond to the Complaint, then a Clerk's Judgment for Possession is entered and a Writ of Possession is issued



If the Tenant Responds

If the Tenant files an Answer with the Court (Tenant has the option of filing other responses), then the Landlord will request that the case be scheduled for trial. A trial date is generally set within 20 days of the Landlord's request.



Lockout

The Sheriff will post the writs on the Tenant's door allowing the Tenant 5 days to vacate the property. If the Tenant does not vacate then a sheriff lockout will approximately take place within 7 to 14 days.



Court Trial

If the Landlord prevails at trial the judge will issue a judgment for possession and money (which may include rent, damages, costs, and attorney fees, if permitted by the rental agreement). A Writ of Possession will also issue allowing the sheriff to conduct the lockout.



Money Judgment

After obtaining judgment for possession the Landlord has the option of requesting a money judgment (which may include rent, damages, costs, and attorney fees, if permitted by the rental agreement).



Lockout

The Sheriff will post the writs on the Tenant's door allowing the Tenant 5 days to vacate the property. If the Tenant does not vacate then a sheriff lockout will approximately take place within 7 to 14 days.

*The above is a general guideline, actual timelines and procedures may vary depending on the jurisdiction and facts of the specific case.

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