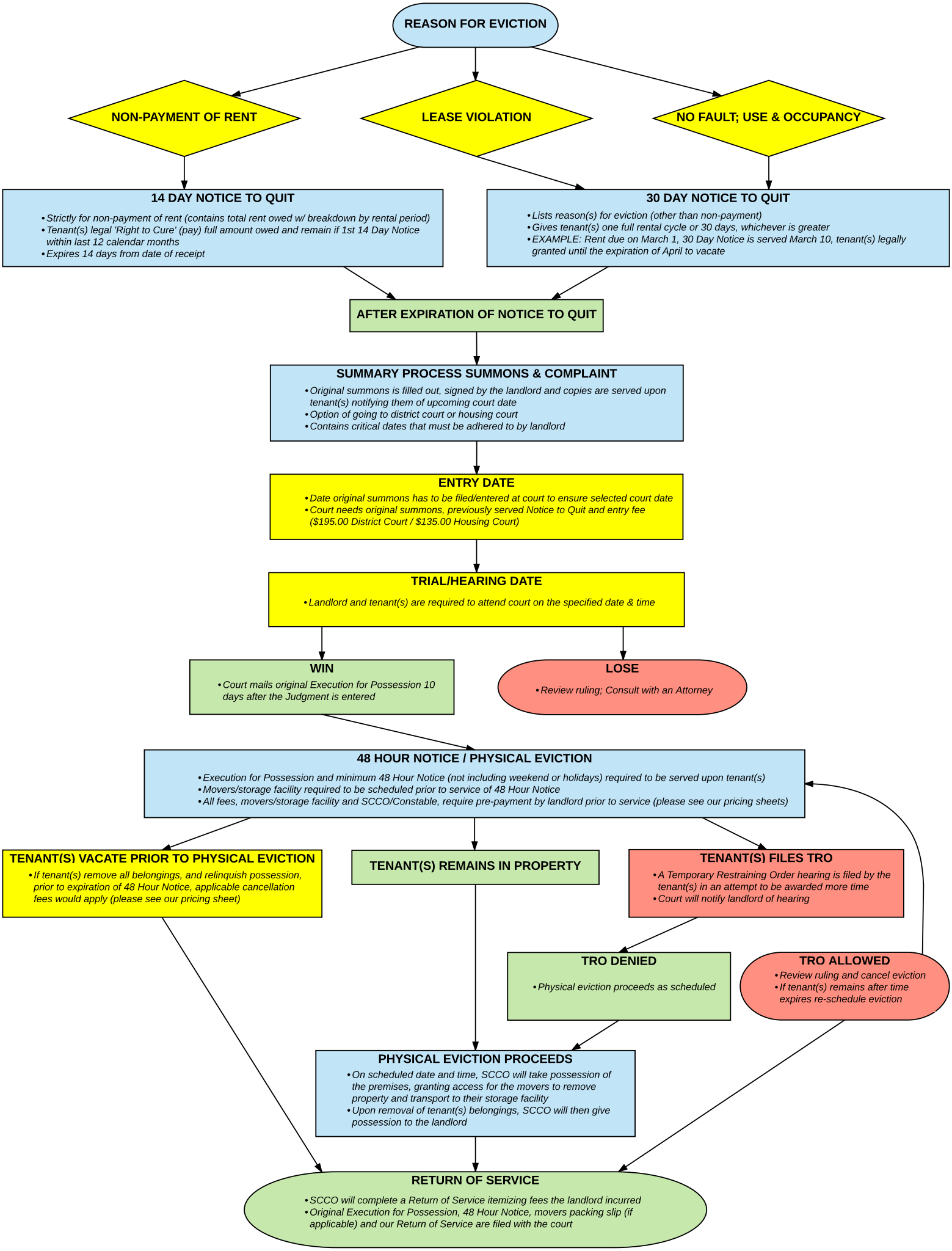
REASON FOR EVICTION
NON-PAYMENT OF RENT
LEASE VIOLATION
NO FAULT; USE & OCCUPANCY
14 DAY NOTICE TO QUIT
• Strictly for non-payment of rent (contains total rent owed w/ breakdown by rental period)
• Tenant(s) legal 'Right to Cure' (pay) full amount owed and remain if 1st 14 Day Notice within last 12 calendar months
• Expires 14 days from date of receipt
30 DAY NOTICE TO QUIT
• Lists reason(s) for eviction (other than non-payment)
• Gives tenant(s) one full rental cycle or 30 days, whichever is greater
• EXAMPLE: Rent due on March 1, 30 Day Notice is served March 10, tenant(s) legally granted until the expiration of April to vacate
AFTER EXPIRATION OF NOTICE TO QUIT
SUMMARY PROCESS SUMMONS & COMPLAINT
• Original summons is filled out, signed by the landlord and copies are served upon tenant(s) notifying them of upcoming court date
• Option of going to district court or housing court
• Contains critical dates that must be adhered to by landlord
ENTRY DATE
• Date original summons has to be filed/entered at court to ensure selected court date
• Court needs original summons, previously served Notice to Quit and entry fee ($195.00 District Court / $135.00 Housing Court)
TRIAL/HEARING DATE
• Landlord and tenant(s) are required to attend court on the specified date & time
WIN
• Court mails original Execution for Possession 10 days after the Judgment is entered
LOSE
• Review ruling; Consult with an Attorney
48 HOUR NOTICE / PHYSICAL EVICTION
• Execution for Possession and minimum 48 Hour Notice (not including weekend or holidays) required to be served upon tenant(s)
• Movers/storage facility required to be scheduled prior to service of 48 Hour Notice
• All fees, movers/storage facility and SCCO/Constable, require pre-payment by landlord prior to service (please see our pricing sheets)
TENANT(S) VACATE PRIOR TO PHYSICAL EVICTION
• If tenant(s) remove all belongings, and relinquish possession, prior to expiration of 48 Hour Notice, applicable cancellation fees would apply (please see our pricing sheet)
TENANT(S) REMAINS IN PROPERTY
TENANT(S) FILES TRO
• A Temporary Restraining Order hearing is filed by the tenant(s) in an attempt to be awarded more time
• Court will notify landlord of hearing
TRO DENIED
• Physical eviction proceeds as scheduled
TRO ALLOWED
• Review ruling and cancel eviction
• If tenant(s) remains after time expires re-schedule eviction
PHYSICAL EVICTION PROCEEDS
• On scheduled date and time, SCCO will take possession of the premises, granting access for the movers to remove property and transport to their storage facility
• Upon removal of tenant(s) belongings, SCCO will then give possession to the landlord
RETURN OF SERVICE
• SCCO will complete a Return of Service itemizing fees the landlord incurred
• Original Execution for Possession, 48 Hour Notice, movers packing slip (if applicable) and our Return of Service are filed with the court