

### **How the eviction process works:**

To safeguard the Landlord and the Tenant a legal process has been established when it becomes necessary for an eviction. The following is a brief step-by-step procedure: The Landlord sends a *Certified* or hand delivered letter to the delinquent Renter. The letter should state "Back payment should be received within seven (7) days."

### **Where Do I Start?**

If the rent is not paid the Landlord can go to Small Claims Court and file for eviction. There is a small filing fee. A court date is set and the Oldham County Sheriffs Office will mail and hand deliver an eviction notice. (Writ of Forcible Detainer) If the Renter is not located the eviction notice will be posted on the front door of the house or apartment.

### **If the Landlord wins an Eviction Judgment in Court,**

The Renter has seven (7) days to appeal. The Renter can ask for a Hearing or a trial. If the Renter has not appealed the judgment, but still does not vacate: The Landlord must return to Small Claims Court and ask for a Warrant of Possession to get the property back.

### **Warrant of Possession**

A Judge will then sign a "set-out" Warrant. The Landlord and the Sheriff will agree on a date to have the Tenants property put outside the building. The "set-out" Warrant is hand delivered to the Tenant by the Sheriffs Deputies, or posted on the door. At the designated time the Landlords moving crew and Sheriffs Deputies will meet to evict the renters. A landlord can then go to Small Claims Court to recover back rent owed them.

### **WHEN THE LANDLORD AND DEPUTIES MEET AT THE PROPERTY:**

#### ***The following is mandatory:***

- The Landlord will have 3 able bodied people for the Eviction from an apartment (and 5 persons for a house).
- One (1) hour is allotted for eviction so match your manpower accordingly.
- The Tenant's property will be placed in front of the property one (1) foot from the curb and not blocking the sidewalk.
- The Landlord must leave the Tenant's property there for forty-eight (48) hours after set-out.
- After forty-eight hours the Landlord has the right to remove the Tenants property.
- The Landlord should change the locks at this point in the eviction process.
- The address must be visible on all rental property and each apartment must be numbered or identified properly.

### **HELPFUL ITEMS TO BRING - FOR LANDLORDS AND HELPERS:**

GLOVES / MASKS / TOOLS

GARBAGE BAGS / EMPTY BOXES

APPLIANCE DOLLY / INSECT SPRAY

WATER-HOSE (FOR WATER BEDS)

LOCKSMITH / NEW LOCKS FOR THE HOUSE

For More information contact the Sheriff's Office: (502) 222-9501