

DISPOSSESSORY CHECKLIST

1

DEMAND FOR POSSESSION

should be in writing

should use delivery service (so you can prove delivery later)

2

FILE (E-FILE?) DISPOSSESSORY ACTION

use the court's form if it has one

must allege at least one statutory ground

attach as many exhibits as you can

holding over
failure to pay rent
tenant at sufferance

3

SERVICE OF PROCESS

"tack-and-mail" / "nail-and-mail" good enough to get possession

must have personal service if you want a money judgment

sheriff/marshal will serve but consider process server

4

GO TO COURT FOR TRIAL

bring 3+ copies of evidence (lease, pictures, payment ledger, etc.)

bring witnesses (do you need subpoenas?)

be ready to mediate first - give exhibits in mediation to save time

5

JUDGMENT

writ of possession is key (and may be all you can really get)

money judgment (only if personal service and you prove damages)

ask court for appeal provision (so rent has to be paid to continue)

6

EXECUTE WRIT OF POSSESSION

must schedule with sheriff or marshal

must bring your own labor - consider eviction servicing company

bring locksmith to change locks immediately