

JUDGMENT OF RESTITUTION

When a tenant remains in a leased premises after the first cause order in favor of eviction (Judgment of Restitution), the landlord cannot self-help to remove the tenant(s) or take possession of the property, Ohio Revised Code §5321.15 (A) & (B). The Court must issue a Writ of Execution, Ohio Revised Code §1923.13. The Court's Bailiff or Sheriff has ten (10) days after receiving the Writ of Execution to restore the landlord to the possession of the rental unit. The Bailiff oversees the actual physical eviction, of the tenant(s) and turns over the premises to the landlord. The landlord must secure the property from re-entry by the evicted tenant(s) and removal or storage if the tenant's belongings remain in the premises.

AFTER A WRIT HAS BEEN ISSUED

Once a Writ has been issued, the Bailiff will serve or post the Writ within ten (10) days as set by law according to Ohio Revised Code §1923.14. If the defendant(s) is/are not out please contact the Bailiff by 11:30 am on _____ to schedule a time to remove the defendant(s) from the residence.

If you have not obtained the keys to your property from the defendant(s) or an official notice that they have vacated the property, you cannot enter the residence until the Bailiff secures the property. Once the Bailiff ensures that the defendant(s) are out you can then change locks and take possession.

Posting of writs, subpoenas, removal of defendant(s) and other Court papers will be done between the hours of 1:00 PM - 3:00 PM on Mondays, Tuesdays, Wednesdays and Fridays, according to the Court's docket schedule.

If the landlord is represented by an Attorney, that Attorney will make the above arrangements with the Bailiff.

REMOVAL OF TENANT(S) AND TENANT(S)'S PROPERTY

Once the date is set for the Bailiff to accompany the landlord to the residence for the removal of the tenant(s) and the tenant(s) property, the Bailiff will oversee in a timely manner the removal of the tenant(s) property. The landlord is responsible for organizing a crew to remove the remaining property. The procedure of removal of tenant(s) and the removal of property will be done simultaneously. All property that is removed can either be placed on the front yard, placed in storage (at landlord's cost and liability) or be hauled to the landfill if it would be illegal to place on the front yard. Any property removed cannot be kept for personal use of the landlord or the removal crew. Any property obtained from such removal may result in civil charges.