

What Every Tenant Should Know About Writs of Possession

WHAT IS A WRIT OF POSSESSION?

- A Writ of Possession is a court order, issued after the judge enters an eviction, that instructs the local sheriff to return the premises to the owner.
- Once the Writ of Possession is issued, it is sent to the sheriff's department. A sheriff will then post the writ on your door.
- Once the notice is posted, you will have **24 hours** to leave the house or apartment with your belongings.

WHAT HAPPENS AFTER 24 HOURS HAVE PASSED?

- The sheriff can remove all tenants and forbid them from returning.
- The owner can remove personal property from the premises and put them on the property line. Neither the landlord nor the sheriff is liable for damage to your property.
- The owner can change the locks.

WHAT SHOULD YOU DO ONCE THE WRIT HAS BEEN POSTED ON YOUR DOOR?

Pack an emergency bag with essential items, including identification, important documents such as birth certificates, medications, essential clothing, irreplaceable or sentimental items, and items for children. Then, you should pack other personal property and arrange for a place to stay.

WILL A JUDGE STOP THE ENFORCEMENT OF A WRIT OF POSSESSION?

A judge will only stop the enforcement of a writ of possession if you can offer a very good reason for doing so, for example:

- If you were never served with the papers in the eviction action; or
- If you paid the landlord the rent you believe was owed, or made an agreement to pay the landlord the rent owed.

If you believe you have a good reason to prevent the writ from being enforced, you must IMMEDIATELY file an Emergency Motion to Vacate and/or Set Aside the Writ of Possession.



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