

Eviction Procedure

Notices available, Non-Payment, Termination of Occupancy, Violation of Lease, or Take Back Possession

Step 1. Filing eviction

* Property MUST be within City Limits of Lafayette *

*Please provide court with envelope and postage (not needed if you wait) *

Items needed for filing:

- **Motion for Rule to Evict**-extra copy needed for service(s) for each tenant
- **Copy of Lease**- extra copy for **SERVICE if VIOLATION OF LEASE** is filed.
- **Cost** \$ 130.00 (1 person); \$ 220.00 (2 people); \$ 310.00 (3 people)
(cash, check or major credit cards are accepted- please submit exact amount)
- **Authorization** (if filing on behalf of someone else)
- **Proof of ownership of property** (copy needed)
- **Management Agreement** (copy of agreement between property owner & lessor)

Waiver: READ YOUR LEASE

If, **NO WAIVER** in lease, you will need to serve lessee a five (5) day notice. A five (5) day notice excludes: day of service, holidays and weekends. After five (5) days have passed, return a copy of service and Motion for Rule to Evict to Lafayette City Court.

Step 2. Court date Court date given at time of filing (set on Thursday's) Marshal's office initiate's service

If eviction is granted, **Judgment to move** is processed by the Clerk's office. Defendant has 24 hours to vacate. An Eviction is not complete until the Warrant of Possession is served by the City Marshal. – see step 3— If lessee has paid in full or has moved out, lessor may have eviction dismissed. Forms are provided at City Court (Civil Department) or on our website: citycourtlafayettela.org

Step 3. Warrant of Possession

Prepared by clerk's office on Friday and turned over to marshal's office. A Warrant of Possession authorizes the City Marshal to give you possession of your property. No action should be taken by you until Marshal's Deputy meets you at the property. See SLIP provided, by the Marshal's Office, to you on your court date.

Please **REMEMBER**: If an eviction is filed on a lessee, it **WILL** be a permanent record.

We are not attorneys, we cannot give legal advice