

## **Mono County Sheriff's Department, Civil Division**

### **Eviction Process Through the Court System**

WHEN TENANTS ARE BEHIND IN THEIR RENT, THIS IS AN ACCEPTED PRACTICE TO FOLLOW:

- A. Serve a three-day notice to pay rent or quit. These forms are available at a stationary store. At the same time, it is recommended to serve a thirty-day notice terminating tenancy, (if you want them out anyway).
  1. Service may be accomplished in any of the following manners:
    - a. Personally serve each tenant over 18 years.
    - b. Post a notice for each tenant on the door of the property and mail a copy, postage prepaid, to their last known address.
    - c. Have the Sheriff's Dept., Civil Division serve them for you (this will cost you \$30.00 per person to be served).
  2. On the back of the original notice(s), write who was served, when, where and the mailing address if mailed. Take all of this to the court.
- B. If the tenants have not paid for nor moved within 3 days after service, on the 4<sup>th</sup> day, go to the court and file an unlawful detainer packet. These packets are available at the court, for a small fee. These forms **MUST** be served personally on the tenants. The original summons and proof of service must be filed with the court.
  1. Service may be accomplished in the following manner:
    - a. Any person over the age of 18 years and NOT a party to the action may serve the documents.
    - b. Have the Sheriff's Civil Division serve the documents for you (this will cost you \$30.00 per person served).
- C. If the tenants have not responded to the court in 5 days from the date of service, return to the Court and request a Writ of Possession. The Civil Division **MUST** serve this paper. It will cost you \$85.00.
  - a. Upon receipt of the Writ of Possession, the Civil Division will lawfully serve the Writ. The tenants will be given approximately 5-7 days to move out. If they have not removed themselves from the premises, the Sheriffs will see to it that they are removed.

- b. When the Sheriff sets the date of the actual eviction, you will be notified of that time and date. You or your agent must be at the location of the eviction to take possession.
- c. The Sheriff does NOT remove personal property. If property is left, it is recommended that you seek counsel.
- d. It is recommended that you change the locks.

\*THIS IS NOT LEGAL ADVICE, ONLY A GUIDE. AT ANY TIME, THE DEFENDANTS MAY TAKE OTHER LEGAL ACTIONS. IF THIS OCCURS, SEEK COUNSEL.