

How To Evict Tenants

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[If you're a rental property owner, you might have come across tenants who tend to be difficult to deal with. And this difficulty is often followed by eviction. It's not a pleasant experience, but it's sometimes necessary.](#)

[This guide will walk you through the steps of evicting tenants so that you can do it as smoothly and efficiently as possible. Keep in mind that every situation is different, so make sure to consult an attorney if you have any specific questions.](#)

[Steps to Follow](#)

[If you're a landlord, there may come a time when you need to evict a tenant. Maybe they haven't paid rent, or maybe they're causing damage to your property. Whatever the reason, eviction is a legal process that must be followed in order to remove a tenant from your property.](#)

[1. The first step is to give the tenant a notice to quit](#)

[Which is a document that states the reason for the eviction and gives the tenant a certain amount of time to move out. If the tenant doesn't comply with the notice, you can then file an eviction lawsuit with your local court.](#)

[2. Once the court case is filed, a hearing will be scheduled](#) where both you and the tenant can present your respective cases. If the judge rules in your favor, they will issue a writ of eviction, which is a legal order for the tenant to be removed from the property. **[3. The final step is to have the sheriff or constable serve the writ of eviction to the tenant.](#)** They will then have a certain amount of time to move out. If they don't comply, the sheriff or constable will physically remove them from the premises.



Reasons to Evict Tenants

There are several reasons why you may need to evict a tenant. The most common reasons are:

- **Nonpayment of rent:**
If your tenant doesn't pay their rent on time, you can start the eviction process. Most leases have a clause that states how much notice the landlord must give the tenant before starting eviction proceedings.
- **Violation of the lease agreement:**
If your tenant breaks the rules outlined in the lease agreement, you can start the eviction process. Common violations include having unauthorized pets, damaging property, or causing excessive noise.
- **Illegal activity:**
If your tenant is involved in illegal activity on the property, you can start the eviction process. This includes drug dealing, prostitution, or other criminal activity.
- **Holdover:**
If your tenant stays on the property after their lease has expired, you can start the eviction process.

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The Eviction Process 1. Notice

The first step in the eviction process is to give the tenant notice. The type of notice will depend

on the reason for eviction. For nonpayment of rent, you'll need to give a 3-day notice to pay rent or move out.

For violation of the lease agreement, you'll need to give a 7-day notice to cure or move out. For illegal activity, you can give a 24-hour notice to move out. For abandonment, you can give a 72-hour notice to move out. And for holdover, you'll need to give a 30-day notice to move out.

2. File an Eviction Complaint

If the tenant doesn't comply with the notice, you can then file an eviction complaint with your local court.

3. Serve the Summons and Complaint

The next step is to serve the summons and complaint on the tenant. This can be done by hand-delivering it to the tenant or posting it on the property.

4. Tenant Response

The tenant will then have a chance to respond to the eviction complaint. If they do not respond, the court will rule in your favor and issue an eviction order.

5. Sheriff's Eviction

Once you have an eviction order from the court, you'll need to contact the sheriff's office to schedule an eviction. The sheriff will then come to the property and remove the tenant from the unit.

Bottom-Line

Evicting tenants can be a tricky process, but following these steps should help make it go as smoothly as possible. Every situation is different, so if you have any questions or concerns, consult an attorney.

If you find yourself in the situation where you need to evict a tenant, follow these steps to ensure that the process goes smoothly.

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