Checklist: Application to Execute a Writ of Possession

[ ] Have you waited the required 7 day period? *(Tenant has 7 days to file an Answer from the date of service of the dispossessory warrant and 7 days to appeal)*

[ ] Do you have your case number? (*If not, please have the Deputy Clerk at the window look it up for you)*

[ ] Do you have the required payment of $75 *(Personal checks are not accepted)*

[ ] Did you include an email address? *(We want to be able to reach you immediately if there is a problem)*

[ ] Are the name(s) of the tenant(s) and the property address the same on the dispossessory warrant and application? Addresses must be the same or we will not be able to process your application.

[ ] Did the tenant fail to answer within 7 days after service?

- Yes – You also need an **Affidavit of Non-Military Service**. You may request a form and instructions from the Deputy Clerk at the window in TG100. This form is mandatory to process your writ application when the tenant did not file an Answer. This affidavit must be notarized. A notary is available in the Self-Help Center in TG300. A notary service fee of $2 will be charged.
- Corporations **do not** need to submit an Affidavit of Non-Military Service.

[ ] Are you filing based upon the tenant*'s* failure to comply with a Consent Judgment/Order/Agreement?

- If yes, you must submit an **Affidavit of Non-Compliance** with your application. You may get a form from the Deputy Clerk. You must clearly state how the tenant failed to meet the terms of the Consent Judgment/Order/Agreement. This affidavit must be notarized. A notary is available in the Self-Help Center TG300. A notary service fee of $2 will be charged.

[ ] Was your dispossessory warrant or order signed over 60 days ago? If later than 60 days, you may have to refile. Some exceptions include: Specific orders from Judge with a time to vacant beyond the 60 days, Consent Agreements requiring payments over a period time longer than 60 days, and cases where the Judge has given specific permission to issue or reissue the writ.

FAILURE TO MEET THE REQUIREMENTS LISTED ABOVE
WILL DELAY PROCESSING OF YOUR APPLICATION

*****After your writ application is processed by the Court, you will receive a call from the Marshal's Department scheduling the eviction. You must make arrangements to have the tenant's items removed if they have not voluntarily left the premises. Please keep in mind the Court and Marshal's Department received hundreds of writ applications each day.***

Please contact a lawyer for answers to specific questions concerning this process.