

MARION COUNTY SHERIFF'S OFFICE EVICITION PROCEDURES

(NOTE: Prior steps are required before a *Writ of Removal and Possession* can be issued by the court. Contact your attorney for advice).

1. When the clerk of court receives a ruling on a *Forcible Entry and Detainer* action in your favor you will need to request that the clerk issue a *Writ of Removal and Possession* to the Sheriff. It will not be done automatically.
2. **After we have received the *Writ of Removal and Possession*** you may contact the civil division, at 641-828-2220 between 8AM and 4:30PM Monday through Friday to schedule an eviction time. We will not schedule an eviction for the same day you have contacted us. We do not have staff available to do evictions on the weekend. The eviction must be completed by 4PM so we will schedule with that goal in mind.
3. The Sheriff's Office will be delivering a copy of the writ along with a courtesy letter stating the date of the eviction to the address of the defendant. It is not necessary to serve this letter on the defendant so we will post it on the door if no one is available to receive it. There is no charge for the courtesy letter.
4. The day of the eviction we will expect the plaintiff or his agent to check the location to see if the defendant has vacated voluntarily. Please call our office to either confirm or cancel the eviction. If you discover that the defendant has vacated previous to the eviction date please inform our office so we can use that time for other purposes.
5. At the time for the eviction we will expect the plaintiff to provide enough man power to complete the eviction by 4PM. We recognize that unusual situations requiring more time will occur occasionally. If the plaintiff comes to the eviction grossly understaffed we will reschedule for a time that enough staff can be provided. Our function is to provide the authority, keep the peace and direct the procedure. Deputies DO NOT help with removal of property.
6. We request that the plaintiff provide enough boxes and large trash bags to facilitate efficient moving of property. It is recommended that you wear protective gloves and keep in mind the danger of sharp objects and blood born pathogens. The eviction may be postponed by the Sheriff if weather conditions are severe.
7. We have the plaintiff move the property to the area where garbage pickup is done. If this is not feasible alternatives should be arranged in advance whenever possible. If a refrigerator or freezer is involved, we will expect the plaintiff to secure the appliance so a child will not have access. Abandoned vehicles will need to be removed at the time of eviction; the plaintiff will need to make arrangements with a local towing company that processes abandoned vehicles. The plaintiff will need to arrange for removal of anything left behind by the defendant in compliance with local ordinances.
8. The plaintiff is responsible for the removal of any domestic animals. Arrangements should be made with the Marion County Humane Society prior to the service date.
9. We will expect the plaintiff to remove all property/garbage from the location, including property/garbage that is in any storage areas or garages. We will not be involved in determining what is valuable and what is not. If the eviction procedure is cancelled the plaintiff accepts any liability for property left behind.
10. The plaintiff will need to call the Sheriff's Office when they have removed all property for a final "walk-through". This needs to be done by 4PM.
11. Our fees for service of a *Writ of Removal and Possession* (an eviction) are \$30.00 plus mileage.