

**PERMANENT WRIT OF RESTITUTION
LANDLORD INSTRUCTIONS
(Form # 20)**

WHAT IS INCLUDED IN THIS PACKET?

These instructions deal with Form #20, Permanent Writ of Restitution. If you win your eviction case, this form is used by the court to instruct the sheriff or constable to make your tenant leave your property. Use this form after the filing and serving of the Judgment, Form #18, and the Notice of Entry of Judgment, Form #19. This is the form by which you get your property back. You cannot serve this form; only the sheriff or constable can.

HOW AND WHEN CAN YOU USE FORM # 20

You may provide the court with this form at the hearing for the Permanent Writ of Restitution if you win, or later to the clerk.

Heading

Fill in the name of the township and county of the Justice Court as set forth on the Complaint for Unlawful Detainer, Form #10.

Parties

You must fill in the names, addresses and phone numbers of the Landlord/Plaintiff and Tenant/Defendant as set forth on the Complaint for Unlawful Detainer, Form #10.

Case No. and Dept. No.

Use the identical Case Number and Department Number as was assigned on the Complaint for Unlawful Detainer, Form #10.

Body of Permanent Writ

You should leave the balance of the form for the judge to fill out.

If you win, you should indicate to the judge that you have a Permanent Writ of Restitution, Form #20, that the court can use. If the court uses your form, the court will fill out the rest of the form and sign and date it. The court may sign the Permanent Writ of Restitution at the hearing unless the judgment is only for rent, in which case the court

must wait. You should make sure that the court clerk routes the court's signed Writ of Restitution to the sheriff or constable.

If this is a case only about rent, you will have to wait five (5) judicial days¹ after you serve the tenant with the Notice of Entry of Judgment, Form #19, before the court will sign the Permanent Writ of Restitution. If the tenant pays the judgment amount plus costs that were ordered by the court within those five days, the court will not issue the Permanent Writ of Restitution.

You do not have to wait five (5) judicial days for your Permanent Writ of Restitution if your eviction is for a reason other than non-payment of rent, even if one of the reasons was for non-payment of rent.

HOW DOES FORM # 20 GET SERVED ON THE TENANT?

The court will sign (issue) and date the Permanent Writ of Restitution. You should ask the clerk of your Justice Court if the you or the clerk delivers the Permanent Writ of Restitution to the sheriff or constable. The sheriff or constable will evict your tenant.

¹ "Judicial Days" do not include date of service, weekends or legal holidays.