



ORANGE COUNTY SHERIFF'S OFFICE



A LANDLORD'S GUIDE TO THE EVICTION PROCESS

The Sheriff of Orange County realizes the eviction process, also known as a Writ of Possession, can sometimes be a confusing ordeal for some Landlords. Once a Landlord has reached the point of obtaining a Writ of Possession we understand that a monetary loss of some type has occurred and you are anxious to have your property returned in a timely manner. This document is intended to inform you of how the Orange County Sheriff's Office Judicial Process Section will proceed in regards to the subsequent posting of your Writ of Possession and the approximate timeline for the execution of that Writ.

The Sheriff's Office operates as directed by Florida State Statute 83.62 (Restoration of Possession to Landlord aka "24 Hour Posting"), Florida State Statute 683.01 (Legal Holidays; Special Observances), Administrative Court Order, Florida Rules of Civil Procedure (1.090), and as daily caseloads permit. The information in this pamphlet will answer your questions and assist you with the successful service of your Writ.

The Process:

The Eviction process begins at the Orange County Clerk of the Court, by filing the necessary paperwork, in the proper steps based on the timeline:

- 3 Day Eviction Notice
- 5 Day Eviction Notice
- 20 Day Summons Requesting Back Rent
- 24 Hour Eviction Notice, "Writ of Possession"

When you receive your 24 Hour Writ of Possession from the Clerk of the Court it must be brought to the Sheriff's Office Judicial Process Section for execution. You cannot post the Writ on your own, it must be posted by the Sheriff or one of his Deputies. Appropriate service fees will be collected at this time (please see the Fee Schedule on the last page).

Processing the Writ consists of depositing the appropriate fees, entering the Writ information into the Sheriff's Office computer system, and forwarding the Writ to the appropriate Deputy Sheriff for posting on the next business day. A business day is Monday thru Friday, from 8:00 AM to 5:00 PM., excluding weekends and legal holidays (per F.S.S. 683.01).

The 24 hour period begins at the time the Writ is posted, and ends 24 hours later, excluding Sundays. After the Writ is posted, a Deputy Sheriff will call you and schedule an appointment for you to take possession of your property. Manpower and daily caseloads may cause this time period to be longer. You must wait for a Deputy Sheriff to call and schedule an appointment.

The role of the Orange County Sheriff's Office during an eviction is to place the property owner in possession of their property and to keep the peace during the eviction process. You may take possession by one of two methods:

Upon meeting with the Deputy Sheriff at the posted location, the locks are changed on the property and the tenant's property is left inside. The Sheriff's Office does not provide a locksmith; that is the responsibility of the Landlord. It is also the Landlord's responsibility to dispose of the tenant's property as outlined in Florida State Statute. The Deputy Sheriff will place you in possession of your property and complete a Return of Service form stating you agree to the property "as is."

If a tenant returns to the property after they have been evicted i.e. you have been given possession of your property by a Deputy Sheriff or the tenant has abandoned the property as outlined by Florida State Statute, immediately contact the law enforcement agency having jurisdiction in your area for further follow up.

If you want the contents of a residence removed, it is your responsibility to have adequate personnel on scene to remove all the property within the scheduled time. The Orange County Sheriff's Office does not move items, nor do we furnish people to do it. There is an additional Sheriff's Fee of \$40.00 per hour (or any portion thereof) for each Deputy Sheriff required to stand by on the scene of an eviction once the Writ has been executed. This fee must be paid in advance. It should be noted that apartment complex streets are NOT the "right of way" unless maintained by a government entity. Per Florida State Statute, the Sheriff nor the Landlord or the Landlord's Agent shall be liable to the tenant or any party for the loss, destruction, or damage to any possessions after they have been removed from the property.



Orange County Sheriff's Office Fee Schedule

(Effective August 1, 2012)

The below listed fees are charged by the Sheriff per Florida State Statute 30.231. These fees are non-refundable.

TYPE OF PROCESS	FEES
Summons (per person being served)	\$40.00
Writ of Possession	\$90.00
Deputy Stand-By Fee (per hour, per Deputy)	\$40.00
Subpoena / Orders, Notices	\$40.00
Writ of Assistance - Service	\$40.00
Writ of Assistance - Execution	\$90.00
Distress Writ - Service	\$40.00
Distress Writ - Execution	\$90.00

The above fees apply to Alias or Pluries documents as of July 1, 2009. All papers received with insufficient fees will be returned to the sender.

Please make checks payable to the "Orange County Sheriff's Office."

Checks and documents can be mailed to:

Orange County Sheriff's Office
Attn: Judicial Process Section
P. O. Box 1440
Orlando, FL 32802

You can also go to the Judicial Process Section, located at the Orange County Courthouse
425 North Orange Avenue, Suite 240
Orlando, FL 32801
Monday - Friday from 8:00 AM to 5:00 PM
Telephone: 407-836-4570

For more information, call or contact:

- Lawyer Referral Services at 407-422-4537.
- Legal Aid Society at 407-841-8310, www.legalaidocba.org



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