



Pierce County
Sheriff's Department
930 Tacoma Avenue South
Tacoma Washington 98402



WRIT OF RESTITUTION

Items required:

- Original Writ of Restitution
 - A copy of the writ for each defendant
 - Eviction data form (available at piercesheriff.org or at our counter)
 - "Request for Storage of Personal Property" form for each writ. See RCW 59.18.312 for form language or blank forms available in Pierce Co. Law Library for a nominal fee
- ✓ THE WRIT WILL USUALLY BE SERVED ON THE DEFENDANT OR POSTED AT THE PREMISES THE NEXT BUSINESS DAY
 - ✓ THE CIVIL UNIT MUST WAIT 3 BUSINESS DAYS BEFORE THE TENANT CAN BE PHYSICALLY EVICTED (NOT INCLUDING THE DAY OF POSTING)
 - ✓ ON THE MORNING OF THE 4TH DAY AFTER THE SERVICE OR POSTING OF THE WRIT OF RESTITUTION THE LANDLORD OR HIS/HER ATTORNEY MUST DETERMINE IF THE TENANT HAS MOVED AND CALL THE CIVIL OFFICE (253) 798-7520. 8:30 AM-4:30 PM. MON-FRI
 - ◆ **IF THE TENANT HAS MOVED, AND AT THE REQUEST OF THE LANDLORD/ATTORNEY, THE WRIT WILL BE RETURNED TO THE COURT.**
 - ◆ **IF THE TENANT HAS NOT MOVED, THE LANDLORD/ATTORNEY WILL BE PUT IN CONTACT WITH THE ASSIGNED DEPUTY, WHO WILL SCHEDULE A TIME AND DATE FOR A PHYSICAL EVICTION.**

IF THE CIVIL OFFICE IS NOT INFORMED OF THE TENANT'S STATUS AFTER THE THREE DAY WAITING PERIOD, THE SHERIFF'S DEPARTMENT WILL TAKE NO FURTHER ACTION ON THE WRIT OF RESTITUTION!

THE LAW REQUIRES THE EVICTION TO BE COMPLETED WITHIN TEN (10) CALENDAR DAYS OF THE ISSUANCE OF THE WRIT, UNLESS AN EXTENSION IS OBTAINED BY THE LANDLORD/ATTORNEY OR THE WRIT IS ISSUED FOR AN EVICTION NOT COVERED BY THE LANDLORD/TENANT ACT (THOSE NOT COVERED EXPIRE 20 DAYS FROM ISSUANCE).

SUGGESTED LANGUAGE FOR AUTOMATIC EXTENSION OF A WRIT OF RESTITUTION:

.....And make return of said writ according to law, provided that if return is not possible within ten (10) days, the return on this Writ shall be automatically extended for a second ten (10) day period. This language must be contained in your order for the writ as well as in the writ.

ONCE A PHYSICAL EVICTION IS SCHEDULED

On the day before the scheduled eviction the plaintiff or a representative must call the Deputy to confirm or cancel the eviction. If this call is not made, the eviction appointment will be automatically

cancelled. THE ASSIGNED DEPUTY WILL BE AT THE EVICTION TO KEEP THE PEACE AND INSURE THAT DUE CARE IS TAKEN WITH TENANT'S PROPERTY. THE DEPUTY IS NOT THERE TO HELP WITH THE MOVING OF PERSONAL PROPERTY. IF THE LANDLORD DOES NOT PROVIDE THE NECESSARY MANPOWER AND MATERIALS FOR THE EVICTION, IT WILL BE RESCHEDULED AND ANY EXTENSION TO THE WRIT OF RESTITUTION (AS A RESULT OF THE RESCHEDULING) IS THE RESPONSIBILITY OF THE LANDLORD/ATTORNEY.

AT THE TIME OF THE EVICTION:

- ⇒ The landlord must provide all necessary manpower and materials to complete the eviction as expeditiously as possible.
- ⇒ The landlord must store the property if the tenant has served the landlord a written request to store the property not later than three (3) days after service of the writ.
- ⇒ If the landlord knows that the tenant is a person with a disability and that disability prevents or impairs the tenant from making a request for storage it will be presumed that the tenant has requested storage unless there is a written objection to storage from the tenant (disabled person).
- ⇒ The landlord may store the property in any reasonably secure place (including the premises) and may sell and dispose of the property as allowed in RCW 59.18.312.
- ⇒ The landlord may remove the tenant's property to the nearest public property if the tenant has not served the landlord with a written request to store the property within three days of service of the writ.
- ⇒ If there is a dispute as to whether the storage request was properly received and the landlord will not store the property, the Sheriff's Department will require a further court order regarding storage before executing on the writ.
- ⇒ Required supplies (provided by the landlord) include boxes, large plastic garbage bags, and rolls of plastic sheeting to cover furniture.
- ⇒ Vehicles left by the tenant must be removed as a private impound (towing and storage arrangements made by the landlord).
- ⇒ Animals will be impounded by the Humane Society and held pending later release to the tenant or adoption.

FEEES

THE SHERIFF'S FEES ARE SET BY THE COUNTY COUNCIL REQUIRING CHARGES FOR MILEAGE, SERVICE OF PROCESS, COURT FILINGS AND EVICTION (IF REQUIRED). IF A PHYSICAL EVICTION IS REQUIRED, A FEE OF \$60.00 PER HOUR (AFTER THE FIRST HOUR) WILL BE CHARGED.

THE SHERIFF'S DEPARTMENT REQUIRES AN ADVANCE PAYMENT OF \$60.00 PER DEFENDANT PLUS MILEAGE AND \$15.00 FOR THE RETURN ON THE WRIT (go to our web site "piercesheriff.org" to figure the mileage amount). ACCEPTABLE FORMS OF PAYMENT ARE: CASH, MONEY ORDER, DEBIT CARD WITH PIN OR ATTORNEY'S CHECK.

EVICTIONS NOT COVERED UNDER THE RESIDENTIAL LANDLORD/TENANT ACT, RCW 59.18 , WILL REQUIRE A SHERIFF'S INDEMNITY BOND. THE BOND INDEMNIFIES THE SHERIFF FROM ANY LIABILITY IN THE ACTION, AND MUST BE DELIVERED TO THE CIVIL OFFICE PRIOR TO THE ACTUAL EVICTION. THE BOND MUST BE IN AN AMOUNT TWICE THE VALUE OF THE PROPERTY TO BE REMOVED, \$5,000.00 MINIMUM. THE SHERIFF'S DEPARTMENT WILL DETERMINE MINIMUM ACCEPTABLE BOND AMOUNTS.

**QUESTIONS? PLEASE CALL THE SHERIFF'S CIVIL OFFICE AT (253) 798-7520
MONDAY-FRIDAY, 8:30AM-4:30PM.**