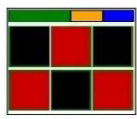


# EVICTION ROAD MAP



Eviction Action is also called a **Forcible Entry & Detainer Action (FED)**

## EVENTS BEFORE EVICTION ACTION IS FILED

**TENANT DEFAULT:** End of Lease or Failure to Pay Rent or Non-Compliance with Rental Terms

TIME VARIES

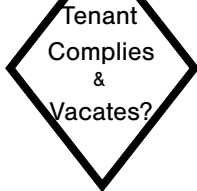
Evictions for Cause only require 3 days (see [CFS §13-40-107.5](#))

**PRELIMINARY NOTICE**

- Instructions Plaintiff [JDF 100](#) Defendant [JDF 96](#)

- Notice to Terminate Tenancy [JDF 99B](#)
- Demand for Compliance [JDF 99A](#)

- May be served by delivery to Tenant, or other occupant over the age of 18; by hand, by mail, or by posting



**YES** → **Tenant Complies & Vacates** (or cures the defect)

- Landlord may pursue back rent, or claims for damages
- Tenant may pursue claims for damages too
- See the [JDF 97/JDF 99A](#) forms for the applicable wait period

**CASE OVER**

**NO**

Period for Notice to Quit/Demand for Compliance expires

**EVICTION ACTION FILED**

Add'l forms

- Eviction Complaint & Motion to Waive Fees [JDF 101](#) • [JDF 205](#)
- Summons in Forcible Entry & Detainer [JDF 102](#) • [JDF 206](#)
- Eviction Answers [JDF 103](#)
- Request for Documents [JDF 108](#)
- Eviction Summons [JDF 102](#)

**COMPLAINT** filed in County Court

**SUMMONS** issued **Papers to File:**

- Personal Service by Sheriff, or disinterested 3rd party

7-14 days

Tenant SERVED

← OR →

Jurisdiction: Possession + Damages Service: at least 7 days before Return Date

Tenant files ANSWER

← OR →

- Eviction Answers [JDF 103](#)
- Unlivable Conditions Affidavit (if applicable) [JDF 104](#)

**Tenant NOT PERSONALLY SERVED**  
After diligent effort, Landlord may post NOTICE + MAILING, but only provides jurisdiction for Possession Only (No Service = No \$\$ Damages)

Tenant DOES NOT file ANSWER

**NO TRIAL**

**DEFAULT ORDER for POSSESSION**

No Money Judgment unless Tenant is personally served

**RETURN DATE** - Return date: 7-10 days after Service

- Parties will meet on Return Date to see about agreement
- Case can go to trial immediately if both parties are ready
- If either party requests a delay longer than 5 days, the court

TIME VARIES

- may require posting a \$\$ bond
- Jury trial available on demand but posting of \$\$ bond likely

Trial Preps: Request for Documents [JDF 108](#)

**TRIAL**

**TRIAL**



**NO**

**Case Over**

**YES**

**ORDER FOR POSSESSION + MONEY JUDGMENT ON DAMAGES**

- Stipulated Agreement [JDF 106A](#) Order [JDF 106B](#)
- Motion for Entry of Judgment [JDF 107A](#) Order [JDF 107B](#)
- Pattern Interrogatories [JDF 108](#) (Business) or [JDF 105](#) (Individual)

**WRIT OF RESTITUTION** issued

Writ of Restitution [JDF 109](#)

**SHERIFF DISPOSSESSES TENANT**

If tenants still haven't left after 10 days, Landlord may take Writ to local sheriff for tenant's forcible removal. Time extends to 30 days if tenant receives SSI, SSDI, or Cash Assistance via CO Works Program.

**POST TRIAL EXECUTION**

2 days  
3-10 days

Daylight hours only; Landlord provides workers to remove personal property. Personal property may be placed in the public right of way