

OAKWOOD MUNICIPAL COURT

EVICITION PACKET: FORCIBLE ENTRY AND DETAINER ACTIONS

You have requested information on filing an action in forcible entry and detainer (an eviction), wherein you are asking the Court to evict a tenant from a residential or business premises.

To begin the process, you must file a complaint and proper filing fee. The complaint form is provided in this packet for you. It is necessary that you fill in the appropriate information on the complaint that is specific to this case. You must include a copy of the Notice to Leave the Premises with the complaint.

Once the Court has granted you restitution of the premises, you may file a Praecipe for Writ of Restitution and proper filing fee. The Praecipe is also included in this packet. The Praecipe for Writ of Restitution is a document in which you ask the Court for assistance in removing the Defendant(s) and their belongings from the premises.

After proper service and time for answer, by the Defendant(s), you may request a hearing on your second cause of action. A hearing is necessary in order to obtain judgment against the Defendant(s) for the amount owed for back rent and/or damages.

Our clerks are here to help you process the paperwork in your case as expeditiously as possible. It is important that you understand that our clerks are not attorneys, and they are not permitted to give you any legal advice. They are happy to answer your questions about the court process, but they cannot give legal advice.

You are strongly encouraged to contact an attorney should you have any legal questions concerning your forcible entry and detainer matter.

Sincerely,

Margaret M. Quinn, Judge
Oakwood Municipal Court

**IN THE MUNICIPAL COURT OAKWOOD, OHIO
CIVIL DIVISION**

Case No. _____

(Landlord's Name)

(Landlord's Address)

Plaintiff(s)

vs

**COMPLAINT FOR EVICTION
AND MONEY DAMAGES**

(Tenants' Name)

(Tenants' Address)

Defendant(s)

First claim for relief (eviction)

1. Plaintiff is the owner / agent (*circle one*) of the premises located at _____
_____ (*address of premises tenant is to be evicted from*).
2. Defendant is a tenant at _____
_____ (*address of premises tenant is to be evicted from*)
3. Defendant is in default of the lease/rental agreement because _____

Defendant has not paid rent since _____ (*date*).
4. On _____ (*date*), Plaintiff served Defendant with a 3-Day Notice to Leave the Premises pursuant to RC 1923.04. (copy of 3 day notice to be filed with complaint)
5. Defendant has since _____ (*date after 3-Day Notice period expired*) unlawfully and forcibly detained from the Plaintiff possession of the above described property.

Second claim for relief (Money Damages – Not to Exceed \$15,000)

1. Defendant owes back rent in the amount of \$_____, future rent (until Defendant vacates the premises and/or the premises are rented, whichever may be applicable), and/or unspecified damages in the amount to be determined after Plaintiff has opportunity to inspect the premises.

Plaintiff(s) requests process, restitution, and judgment in an amount to be determined, plus costs of this action, and interest on said judgment amount.

Dated this _____ day of _____, 20____.

Plaintiff(s) Signature

Plaintiff's Printed Name and Title

**IN THE MUNICIPAL COURT OAKWOOD, OHIO
CIVIL DIVISION**

Case No. _____

(Landlord's Name)

(Landlord's Address)

Plaintiff(s)

vs

**PRAECIPE FOR
WRIT OF RESTITUTION**

(Tenants' Name)

(Tenants' Address)

Defendant(s)

To the Clerk:

Please issue a Writ of Restitution to enforce restitution and a move-out for the premises located at:

Street Address (with apartment number)

City/State/Zip

Plaintiff Signature

Plaintiff Name (printed)

Street Address

City/State/Zip

Phone Number