

FRANKLIN COUNTY MUNICIPAL COURT, COLUMBUS, OHIO

INSTRUCTION SHEET FOR OBTAINING WRITS OF RESTITUTION AND EVICTIONS (SET-OUTS)

- Pursuant to Local Rule 9.06(4), Plaintiff may obtain a Writ of Restitution up to 30 days after the date of judgment.
- After obtaining judgment, Plaintiff may file for a Writ of Restitution and pay a fee of \$35.00, set-out fee of \$45.00 to the Municipal Court Clerk's Office or, as an option, purchase in one step both the Writ of Restitution and Request for Set-Out for a total fee of \$80.00. The Writ of Restitution will be transmitted to the Service Bailiffs' Office in approximately 1 - 7 business days.
- Upon receipt of the Writ of Restitution, the Bailiff Officer will place a red tag in a conspicuous place at the premises to be vacated. This gives the tenants notice that they have five (5) days, beginning the day the property is tagged and including weekends and holidays, to vacate. The Service Bailiffs' Office may be contacted at (614) 645-7780 between the hours of 7:00 am and 3:30 pm to confirm the tag date.
- Plaintiff is to check for occupancy after the 5 day period has lapsed. Plaintiff must have previously paid for the Set-Out Fee prior to requesting to schedule a set-out.
- The supervised set-out must be performed after the 5 day period has elapsed and before the end of the 10th day per R.C. 1923.14.
- The Service Bailiffs' Department must be contacted Monday through Friday between the hours of 7:00 am and 10:00 am only to schedule a date for the set-out. Set-outs are performed on a "first scheduled, first served" basis. If Plaintiff does not timely file the Request for Set-Out or contact the Service Bailiffs' Office, the Bailiff Officer may not be available to perform the set-out within the statutory deadline.
- On the morning of the set-out, the Plaintiff shall check the property to determine if the Bailiff Officers services are needed. The Plaintiff must call to confirm and coordinate a time for the set-out. The Bailiff Officer must receive a confirmation call by 9:15am the morning of the set-out. If Plaintiff fails to call, the Bailiff Officer will assume that their services are not needed and cancel the set-out.
- The Bailiff Officer will meet the Plaintiff and moving crew at the premises at the scheduled time to supervise the set-out. If Plaintiff and moving crew are not at the designated location within fifteen (15) minutes after the scheduled time, the Bailiff Officer, will assume that their services are not needed and cancel the set-out.
- Plaintiff must provide at least four (4) working adults, capable of moving furniture, and removing all other personal property. Plaintiff must also provide an ample supply of sturdy plastic bags such as contractor bags, boxes, gas line caps, flashlights, and tools to change locks, disassemble furniture, and remove refrigerator doors. Dollies or hand trucks for moving heavy belongings. In the event of inclement weather the Plaintiff shall have rolls of plastic to place under and over the property, protecting it from the elements. Failure to supply ample manpower or any of these items listed may result in cancellation of the set-out.
- Plaintiff will have 90 minutes (1-1/2 hours) to complete the set-out. Plaintiff may not enter the premises until the Bailiff Officer arrives. Locks may not be changed until the set-out is complete.
- Please refer to the file "Post Judgement: Plaintiffs' Required Procedures for evictions/set-out" for further in-depth information concerning evictions and set-outs.

THIS IS AN INFORMATIONAL PAGE AND IS NOT INTENDED TO PROVIDE LEGAL ADVICE