

# BOONE COUNTY SHERIFF'S OFFICE

## EVICION PROCEDURES

9/2022

1. When you receive a ruling on a forcible entry and detainer action in your favor you will need to request the clerk to issue the Writ of Removal and Possession. This document is the judge's direction to our office. No action will be taken by our office without this document.
2. **After you have received the Writ of Removal and Possession**, contact the sheriff's office, administrative/civil division, in person or by phone at 433-0524 ext 3 between 8 a.m. and 4 p.m.(closed from noon – 1p.m.) Monday through Friday (except holidays) to schedule an eviction time.
3. Evictions will normally be conducted only on Tuesdays and Thursdays 9:00 a.m until 2 pm. and must be completed by 4pm (Code of Iowa 648.20). The Sheriff's Office requires enough people to complete the eviction within two hours. If the plaintiff fails to supply enough labor, the deputy is instructed not to start the eviction. This will require the plaintiff to set up a new date and time with the Sheriff's Office for the eviction. We do not conduct evictions on the weekends.
4. Our function is to execute the writ as it was issued by ruling of the judge. We provide the authority, keep the peace and direct the procedure...we DO NOT help move any items.
5. We do NOT give notice of the upcoming eviction to the defendants automatically. You may wish to inform them of the date and time, or request that we give notice. There will be a fee for giving notice in addition to fees for executing the Writ/eviction.
6. The day of the eviction we will expect the plaintiff or his agent to check the location to see if the defendant has vacated voluntarily. Please call our office to either confirm or cancel the eviction. If you discover that the defendant has vacated previous to the eviction date, and you want to cancel the eviction, please inform our office so we can use that time for other purposes.
7. The eviction may be postponed due to severe weather conditions as determined by the Sheriff.
8. We request that the plaintiff move the property to the area where garbage pickup is done. If a refrigerator or freezer is involved we will expect the plaintiff to secure the appliance or remove the door so a child will not have access to the appliance.
9. Abandoned vehicles will need to be removed at the time of eviction; the plaintiff must make the arrangements with a towing company that processes abandoned vehicles. Towing is at the cost of the plaintiff.
10. The plaintiff is responsible for the removal of any domestic animals. Arrangements should be made with the Boone Area Humane Society prior to the service date.
11. Any weapons or illegal substances MUST be turned over to the Sheriff' s Office.
12. For security measures, we strongly suggest you have a locksmith present to change the locks at this time. If you do not have a key to access the premises, a locksmith must be used to gain entry.
13. We will expect the plaintiff to remove all property/garbage from the location, including any storage areas or garages. We will not be involved in determining what is valuable and what is not. If the defendant vacates voluntarily it is up to the plaintiff to decide if they want to have our office stand by while any remaining property is removed or locks changed. If the eviction procedure is cancelled the plaintiff accepts any liability for property left behind. Items removed from the residence shall remain available to the defendant for 24 hours. After that, the plaintiff may remove/dispose of the items in accordance with the law and local ordinances.