

**FAIRFIELD COUNTY MUNICIPAL COURT
CIVIL DEPARTMENT
136 WEST MAIN ST., P.O. BOX 2390
LANCASTER, OH 43130
740-687-6621**

THE EVICTION PROCESS

Only the deeded property owner can sign and file an **Eviction Complaint** without an attorney. All other **Eviction Complaints** must be signed and filed by an attorney on behalf of the owner or property management company. Corporations, Limited Liability Companies (LLC'S), and Trusts must be represented by an attorney at all stages of the eviction process, including filing the complaint seeking eviction and appearing in Court. A person is not permitted to use a power of attorney to represent another person in Court. If you have questions about whether you can legally file and pursue an eviction action, you should consult with an attorney.

When you file the action, you must file an **Eviction Complaint** with a copy of the **Notice to Leave the Premises¹** that you served on the defendant(s)/tenant(s) attached. It is your responsibility to make sure the forms you use comply with the requirements of Ohio law, including R.C. 1923.04 and 1923.05.

TO FILE THE EVICTION CASE, YOU WILL NEED:

- A copy of the **Notice to Leave the Premises** that you already served.
- Your original **Eviction Complaint** filled out clearly and legibly
- Accurate and complete information in the caption and the body of the **Eviction Complaint**.
Make sure you:
 - Spell the name of the defendant(s)/tenant(s) correctly; and
 - Include complete addresses for the property and the location where the defendant(s)/tenant(s) will be served. A complete address must include the number, street name (including whether it is a street, avenue, boulevard, etc., whether it includes a north, south, east, or west designation), any apartment or unit number or letter, and an accurate zip code.
- Two additional copies of the **Eviction Complaint** and all attachments for each defendant/tenant that you are evicting.
- \$120.00 filing fee.

The trial on the eviction will be scheduled approximately twenty-one days from the date of filing.

PLEASE NOTE:

COURT EMPLOYEES ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE.

If you have any additional concerns or questions, you should consult an attorney. You can contact the Fairfield County Bar Association @www.fairfieldcountybar.com to locate an attorney.

¹ In Ohio, the **Notice to Leave the Premises** for residential property must contain the following paragraph boldly and conspicuously:

You are being asked to leave the premises. If you do not leave, an eviction action may be initiated against you. If you are in doubt regarding your legal rights and obligations as a tenant, it is recommended that you seek legal assistance.

NOTICE TO LEAVE THE PREMISES

Revised Code Section 1923.04

To: _____ (Tenants)

You will please notice that I/we want you on or before _____, 20____ to leave the premises you now occupy, and which you have rented of _____ (Landlord) situated and described as follows: _____

(Eviction Address)

in _____, _____, Ohio.
(City) (County)

Together with the lot of land on which these premises are located. You are being asked to leave for the following reason: _____.

(State reasons for eviction)

Your compliance with this NOTICE within _____ days after its service will prevent any further eviction action against you.

YOU ARE BEING ASKED TO LEAVE THE PREMISES. IF YOU DO NOT LEAVE, AN EVICTION ACTION MAY BE INITIATED AGAINST YOU. IF YOU ARE IN DOUBT REGARDING YOUR LEGAL RIGHTS AND OBLIGATIONS AS A TENANT, IT IS RECOMMENDED THAT YOU SEEK LEGAL ASSISTANCE.

Yours respectfully,

_____, Landlord

Landlord's Address _____

Date _____

MEMORANDUM

On the ____ day of _____, 20____, I served this notice on the within named _____ by:

- Certified mail (return receipt requested)
- Handing a copy to the defendant in person
- At his usual place of abode
- Premises from which defendant is sought to be evicted

**In the Fairfield County Municipal Court
Lancaster, Ohio**

Case Number: _____

PLAINTIFF (Landlord)

Plaintiff's name (1)

Plaintiff's name (2)

Plaintiff's address

Plaintiff's address

City, State & Zip

City, State & Zip

Phone Number

Phone Number

Vs.

DEFENDANT (Tenant)

Defendant's name (1)

Defendant's name (2)

Defendant's address

Defendant's address

City, State & Zip

City, State & Zip

**Complaint for Eviction (Forcible Entry and Detainer)
(R.C. Chapter 1923)**

FIRST CAUSE OF ACTION

1. Plaintiff(s) is/are the owner(s) of the premises located at:

(include city and zip)

2. Defendant(s) is/are a

Month-to-month tenant pursuant to an oral lease at the premises state in paragraph 1.

Tenant pursuant to written lease, copy is attached as Exhibit A.

Other: _____ at
the premises stated in paragraph 1.

3. Defendant(s) violated the terms of the lease/rental agreement due to:

4. Plaintiff(s) served the Defendant(s) with a written 3-day notice to leave the premises pursuant to RC 1923.04 on the date of _____. A copy of the notice is attached to this complaint.

5. In the notice, the Defendant(s) were advised to leave the premises by the date of _____.

6. Defendant(s) have/ has, since the date stated in paragraph 5, unlawfully and forcibly detained from the Plaintiff(s) possession of the above-described premises.

SECOND CAUSE OF ACTION

1. Plaintiff(s) incorporate paragraphs 1-6.

2. Defendant(s) owe rent in the amount of \$_____.

3. Defendant(s) owe for damage to the property beyond normal wear and tear in the amount of \$_____.

WHEREFORE, PLAINTIFF DEMANDS,

1. Restitution and recovery of the premises.

2. Judgment for rent and damages, in the amount of \$_____ and the costs of this action.

SIGNATURE(S) OF PLAINTIFF(S)

NAME (PLEASE PRINT)

ADDRESS

CITY, STATE, ZIP CODE

TELEPHONE NUMBER