

CHAPTER HEADINGS

Introduction

File a Warrant of Restitution

The Right of Redemption

Eviction

Let's Review

Introduction

Hello and welcome to Part Two of our video series on Rent Court for Landlords. This video is for landlords who won their case in rent court, meaning that the judge determined an amount of rent was due and entered judgment in your favor. We will take you through the steps which are: filing a Warrant of Restitution, scheduling your eviction date with the sheriff or constable, the tenant's opportunity to exercise the right of redemption, and your responsibilities on the day of eviction. Let's get started.

File a Warrant of Restitution

When a judge sides with a landlord in rent court, a judgment is entered equal to the amount of rent due. Your next step is to file a Warrant of Restitution, form DC-CV-081. You must wait at least four business days after trial before you file the Warrant. Copies of the Warrant are available at the courthouse. The form is not printable and cannot be completed online. However, samples may be viewed online at mdcourts.gov/courtforms.

If you have questions about completing the form get help. Non-business property owners may receive help completing the form at a Maryland Court Help Center. Call 410-260-1392 or visit mdcourts.gov/courthelp for a list of hours and locations.

There are two fees associated with the Warrant -- one fee to file, which may be paid by cash or credit, and a second fee for the cost of serving the tenant which must be paid by check or money order. Current fee information is available by calling the courthouse or at mdcourts.gov/courts/feeschedules.

Schedule Your Eviction

Once you file the warrant, it will be reviewed by a judge in private. If completed correctly, the judge will sign the warrant. The court will then mail copies of the form to all parties and the sheriff or constable's office. When you receive your copy in the mail, contact the sheriff or constable's office directly to schedule your eviction.

In most counties, you may decide whether to tell the tenant when the eviction will take place. This is not the case in Baltimore City. There the landlord must provide the tenant a 14-day notice by mail and 7-day notice by posting of the date and time of the eviction.

Right of Redemption

In most cases, your tenant has the chance to stop the eviction by exercising their right of redemption. This means that if the tenant can pay the amount of rent the judge determined was due, plus the court

costs, then you cannot evict them. You cannot refuse to accept a payment from the tenant. If your tenant makes payment in full before the eviction date, then you must call the sheriff or constable's office to cancel the eviction.

Your Responsibilities on Eviction Day

On the eviction date, go to the property and wait for the sheriff or constable to arrive. They will initiate the eviction. The sheriff or constable's responsibilities are to remove the tenant from the property and maintain the peace. You must be prepared to gain entry to the property either by using a key or having a locksmith present.

You must also remove the tenant's belongings according to local law. In most cases, this means you must move the belongings to the side of the road. The sheriff may require you to have a moving crew present when the eviction occurs to ensure this step is completed. Finally, be prepared to have the locks changed.

Let's Review

Let's review what you have learned. File a Warrant of Restitution no earlier than the fifth business day after trial. A copy signed by the judge will be sent to you in the mail. Then contact the sheriff or constable's office to schedule your eviction. Your tenant may exercise the right of redemption by paying the amount of rent that is due plus court costs. When this happens, you must cancel the eviction. On eviction day, a sheriff or constable will remove the tenant. You are responsible for changing locks and removing the tenant's belongings from the property. Finally, non-business property owners may receive advice about this process at a Maryland Court Help Center. Call 410-260-1392 or visit mdcourts.gov/courthelp for a list of hours and locations.

We hope this information has been helpful. Thanks for watching.