

IN THE MOUNT VERNON MUNICIPAL COURT, MOUNT VERNON, OHIO

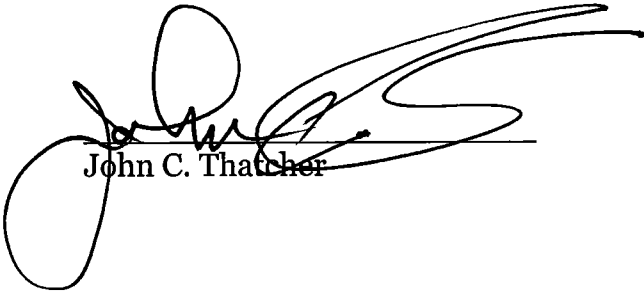
In Re: Procedures for Eviction Cases

Journal Entry

Effective **April 2, 2018**, landlords who own rental property in the name of a limited liability company ("LLC") will no longer be permitted to file an eviction complaint without an attorney. A licensed attorney shall file the complaint on behalf of the LLC.

Effective **April 2, 2018**, landlords will not be permitted to file a claim for damages for back rent, unpaid utilities or damage to rental property with the eviction case. Landlords may file a separate case for damages up to \$6,000.00, in the small claims division. A separate claim for damages over \$6,000.00 may be filed in the civil division. Landlords who own rental property in the name of an LLC, corporation or trust must file claims for damages over \$6,000.00 through an attorney.

Effective **April 16, 2018**, the Clerk of Court will schedule eviction hearings on Mondays, beginning at 8 a.m.



John C. Thatcher

2018 MAR 30 AM 10:41
MT VERNON MUNICIPAL COURT
STEPHANIE HARDMAN, CLERK

FILED

THE EVICTION FILING PROCESS
(COURT EMPLOYEES ARE NOT PERMITTED TO GIVE LEGAL ADVICE)
EFF. APRIL 2, 2018

Only the deeded property owner can sign and file a Complaint in Forcible Entry and Detainer without an attorney. All other Complaints must be signed and filed by an attorney on behalf of the owner or property management company. Corporations, Limited Liability Companies (LLCs), 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 Complaint you must attach a copy of the *Notice to Leave the Premises* that you served on the defendant(s)/tenant(s). It is your responsibility to make sure the form you use complies with the requirements of Ohio law, including R.C. 1923.04 and 1923.05.¹ A copy of the correct form may be found on the Court's website. The Judge will dismiss your case, if you use the wrong form.

TO FILE THE EVICTION CASE, YOU WILL NEED

1. A copy of the *Notice to Leave the Premises* that you already served.
2. Your original Complaint filled out clearly and legibly.
3. Accurate and complete information in the caption and the body of the Complaint making 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 includes the number, street, avenue, boulevard, etc., name and whether it includes a north, south, east or west designation, any apartment or unit number or letter, and an accurate zip code.
4. Two additional copies of the Complaint and all attachments for each defendant/tenant that you are evicting.
5. The full filing fee as stated on the Court's current cost schedule.

The hearing on the eviction will be scheduled from 14-21 days from the date of filing the Complaint.

If you have any additional concerns or questions, you should consult 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.**