

Post Judgement:

Plaintiffs' Required procedures for evictions/Set-Out.

When a Plaintiff files for a Writ of Restitution (red tag), they should wait three days, then call the Bailiff Officers office at 614-645-7780, 7:00am – 3:30pm, to determine which Bailiff Officer their case has been assigned to. The assigned Bailiff Officer will inform them the date their door was tagged and when their five days have expired from the date of tagging. The plaintiff will be instructed when to call back to schedule the set-out date. When the plaintiff calls back to schedule, they will be given the date that the set-out will take place. The morning of the set-out, the plaintiff will check the property for occupancy and the amount of personal effects left to be set out. In order to insure the ability of the Bailiff Officer to complete scheduled all scheduled set-outs, on the morning of the set-out, the Plaintiff will call the assigned Bailiff Officer prior to 10:00a.m., to cancel or confirm. Once confirmed, the assigned Bailiff Officer will give you a time for the set-out to take place. However, if there is a schedule availability issue, the assigned Bailiff Officer will call you back to confirm any adjustments of the set-out time.

Plaintiffs need to have a sufficient number of working persons/adults, not counting themselves, necessary to complete the job within the 90 minute allotted time. Should the Bailiff Officer determine that the plaintiff has insufficient personnel and or resources, bags, boxes, etc., to complete the eviction process, the Bailiff Officer will notify their supervisor for further direction. Only the Bailiff Officers' supervisor can order the cancellation of a set-out. IN the event of cancellation of the set-out, the plaintiff shall be instructed to contact the Bailiff Officers' office the following morning, once they have insured that they have the proper amount of personnel and/or resources needed to complete the set-out. The assigned Bailiff Officer will then give the plaintiff a new time, and date if necessary, for the set-out to proceed.

No person or persons shall enter into the property to remove any items, prior to the Bailiff Officers' arrival.

If it is suspected that there are animals remaining within the property, the plaintiff will notify the Bailiff Officer, so that proper arrangements can be made with the appropriate agencies responsible for the removal of the animals.

Plaintiff/Landlord must be prepared on the day of the set-out. Bailiff Officers' are onsite to supervise the set-out and maintain peaceful restoration of the premises. Bailiff Officers' ARE NOT Bailees.

GENERAL NOTES:

Bailiff Officers' are provided for the express purposes of supervising a set-out, maintaining the peace and ensuring that the premises is restored to the plaintiff once the set-out is completed.

To facilitate a neat and orderly set-out with minimum disruptions and unsightly blight to the neighborhoods, landlords are to meet the following expectations:

- Plaintiff should have enough boxes (and tape to seal up bottoms) for all dishes and breakables along with heavy duty contractor clean-up bags to accommodate the defendants property
- If bad weather is predicted, enough plastic sheeting or tarps to cover the ground and cover all of the property set out
- Tools to disassemble items or disconnect appliance or remove refrigerator doors if these items are to be set out
- Flashlight and lightbulbs for light fixtures to inspect property (basement must be lighted)
- Appliance dolly for heavy appliances (washer, dryer, refrigerators, etc.)
- Waterbed pump or hose available to drain water bed
- Any other item that would be needed to accomplish the set-out
- Bailiff Officers' are not bailiees and accordingly shall not take possession of any items from a set-out.
- Next the Bailiff will check the property for weapons or dangerous ordinance. E.g., Swords, Knives, Firearms, Crossbows, etc. Should the Bailiff find any items such as these, then the Bailiff Officer shall place these in a corner of the room and left untouched.
 - (1). **FIREARMS – In the case of any type of firearm being discovered, the Bailiff Officer shall notify the local Police for assistance. If at all possible, the preferred course of action would be not to handle the Firearm, rather leave it up to the responding Police Officer.**
 - All other types of ordinances are to be left secured in the property for the property manager/owner to take care of, or dispose of, after proper attempts have been made to have said items returned to the rightful owner.
- All personal property items down to shoes, socks, caps, personal papers, etc. must be removed from the premises with the following exceptions:
 - Hazardous materials/chemicals
 - Fireworks
 - Prescription medications
 - Medical Equipment – wheelchairs, walkers, breathing machines, etc.
 - Any other item that an ordinary person would deem dangerous if placed in an area with unfettered access by the general public.These items shall remain in a centralized location inside the premises and proper authorities notified.
- Only the Plaintiff or Defendant can declare items trash. Under no circumstance shall the Bailiff Officer make a declaration of trash.

- All property should be set outside the locked property in such a way for the Defendant(s) to have unfettered/unrestricted access to their belongings. Sidewalks cannot be blocked and property cannot be set in the street.
- Should bed bugs be present in the premises, and confirmed by the Bailiff Officer, then the Bailiff Officer shall inform the Plaintiff and locks are to be changed and the set-out will be ended. (Local rule 6.08)
- The Bailiff Officer will make annotations on the bottom of the Writ of Restitution, including the date and time, of the presence of Bed Bugs and that the locks have been changed. Should the defendant be present, then the plaintiff is not to change locks and instead, is to grant a reasonable time frame for the defendant to retrieve their personal belongings. Example; “the defendant has been informed of the presence of Bed Bugs and has until 4:00pm to remove items they wish to keep. After 4:00pm the Plaintiff shall be allowed to change the locks and deem the remaining contents trash.” This statement shall be added to the bottom of the Writ of Restitution by the Bailiff Officer, and signed off on by ALL parties.
- Items may not be placed next to a dumpster, unless the plaintiff has declared the items trash. Should the Plaintiff wish to declare the property to be trashed, then the Bailiff Officer will prepare a statement on the bottom of the Writ of Restitution stating that the Plaintiff has declared items trash. The Bailiff Officer will then have the Plaintiff or Representative sign and print their name and title next to the said statement.
- All food is considered to be trash and will be bagged up immediately and placed in the nearest dumpster
- Drug paraphernalia shall be declared as trash, destroyed and placed in the nearest dumpster
- Small amounts of illicit drugs shall be disposed of on the premises. If larger quantities of illicit drugs are located on the premises, the Bailiff Officer shall contact the appropriate law enforcement agency.
- The Bailiff Officer will conduct a walk through and inspect all closets, cabinets, drawers, etc. After completing the walk through, the Bailiff Officer will sign off on the set-out as being completed, noting the time and date on both copies of the Writ of Restitution. The Bailiff Officer will give the Plaintiff a copy of the front page of the Writ of Restitution stating the set-out is complete with the date and time clearly visible.
- Once the set-out is complete and the Plaintiff has a copy of the Writ of Restitution with the date and time of completion, the Plaintiff may now have the locks changed.
- The Defendants property shall remain outside for 48 hours after completion of the set-out for the Defendant to have the opportunity to remove their items. Any items that remain after the 48 hour period, the Plaintiff shall have the right to dispose of said property.
- The Plaintiff is NOT responsible for any of the defendant’s property that has been legally set-out.
- The Plaintiff is NOT required to “post a guard” to protect the defendants property.