

THE RESIDENTIAL EVICTION PROCESS

1. Select proper notice terminating tenancy.
2. Properly serve the tenant with the notice terminating tenancy.
3. Attempt to resolve the problem with the tenant informally.
4. Purchase eviction summons and complaint from clerk of courts.
5. File the summons and complaint for eviction with the court.
6. Serve the summons and complaint for eviction on the tenant.
7. Appear at court for the first hearing/initial appearance/return date regarding possession of the premises.
8. Obtain a Writ of Restitution for the premises or schedule an eviction trial before the judge.
9. Once you have obtained the Writ of Restitution engage the services of a moving company/storage facility and the Sheriff. Must provide Writ to Sheriff within 30 days of it being issued.
10. Attend the second hearing (initial appearance on 2nd and 3rd causes of action) regarding money damages (past due rent, cleaning costs, and damages to the unit).
 - File all invoices, Affidavit of Non-Military Service and an itemization of damages.
 - If tenant does not appear in court ask that a default judgment be entered against the tenant for the amount owed.
 - If the tenant appears in court and objects to the damages alleged a hearing before the court commissioner will be scheduled.
 - After the hearing if either party disagrees with the decision of the court commissioner there is an automatic right for a *de novo* trial before the small claims judge.
11. Obtain a money judgment against the tenant.
12. Docket the judgment with the clerk of courts for \$5.00.

25. Attempt to collect the judgment.

Drafted by:

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