

Evictions:

There is a legal process that is to be followed for evictions in Kenton County. This process ensures the protection of both the landlord and the tenant.

The landlord must first give the tenant a 30 day written eviction notice. The cities of Bromley, Covington, Ludlow and Taylor Mill have adopted the Uniform Residential Landlord and Tenant Act (KRS 383.500) to allow for 7 day eviction notices. The dated eviction notice must state the reason for the eviction, for example "Back payment should be received within thirty days." This notice may be served by hand delivering it to the tenant or another adult that lives on the property, or by placing it in a conspicuous place on the property where the tenant will find it, such as the mailbox or front door.

What if the tenant does not meet the deadline?

After the 30 day or 7 day time frame has passed, the landlord can go to the civil department of Kenton County District Court on the third floor of the Kenton County Justice Center, 230 Madison Ave, and file for a Writ of Forcible Detainer. There is a filing fee with the court and a \$40 service fee for the Sheriff's Office. A court date will be set and the Kenton County Sheriff's Office will both hand deliver and mail a copy to the tenant. If the tenant is not found, the deputy will post the notice on the front door.

After the court date

If the landlord is granted the eviction judgment in court, the tenant has 7 days to file an appeal. The tenant can ask for a hearing or a trial.

If the renter has not appealed the judgment and still does not vacate, the landlord can return to the District Court and ask for a Warrant of Possession. The Warrant of Possession has a \$40 service fee for the Sheriff's Office for each person listed on the Warrant of Possession.

What is a Warrant of Possession?

A Warrant of Possession is what is needed for a "set-out." The judge will sign the Warrant of Possession and it will be sent to the Sheriff's Office. The Sheriff and landlord will agree on a date to have the tenant's property set outside the building. When the landlord and Sheriff's deputy meet to evict the tenants, the deputy will hand deliver the Warrant of Possession to the tenant or post it on the door.

Recovering back rent/money damages

After the tenant has been evicted through the Warrant of Possession, the landlord can go back to Small Claims Court to recover back rent or money damages.

When the landlord and deputies meet at the property:

The following is recommended:

- The landlord should have adequate able bodied persons for the eviction from an apartment or from a house.
- The tenant's property should be placed in front of the property 1 foot from the curb and not blocking the sidewalk.
- The address must be visible on all rental properties and each apartment must be properly identified.
- For safety purposes, the landlord should not change the locks or enter the property before the deputies arrive.

The following items may be helpful for landlords and helpers:

- Gloves/masks/tools
- Garbage bags/empty boxes
- Insect spray
- Appliance dolly
- Water hose
- Locksmith /new locks
- Plenty of help to facilitate the removal of the tenants' property.