



El Paso County Sheriff's Office

Sheriff Joseph J. Roybal



**CIVIL OFFICE
27 East Vermijo Avenue
Colorado Springs, CO 80903
(719) 520-7144**

**Your Writ of Restitution is valid for 49 days from the date of issue.
The Sheriff is the only law enforcement officer who can execute a Writ of Restitution
(Eviction) CRS 13-40-122.**

Eviction Process:

- 1) Written Notice is required to be served to tenant. (CRS 13-40-101 through 13-40-107.5). A written Notice to Terminate Tenancy or demand may be served by delivering a copy of the notice to a known tenant occupying the premises, or by leaving such copy with some person, a member of the tenant's family above the age of fifteen years, residing on or in charge of the premises, or, in the case no one is on the premises after attempts at personal service at least once on two separate days, by posting the copy in some conspicuous place on the premises (CRS 13-40-108).
 - a) The timeframe specified on the written Notice to Terminate Tenancy will vary depending on individual rental situations. For further information, see JDF 100, Guide to Residential Evictions <https://www.coloradojudicial.gov> (Self-Help and Forms) or contact an attorney specializing in evictions. Links below are the Notice to Terminate Tenancy forms.
 - [JDF 99 B - Notice to Terminate Tenancy \(coloradojudicial.gov\)](https://www.coloradojudicial.gov)
 - [JDF 99 B - Notice to Terminate Tenancy \(with Spanish Language support\) \(coloradojudicial.gov\)](https://www.coloradojudicial.gov)
 - [JDF 139 B - Notice to Terminate Tenancy \(coloradojudicial.gov\)](https://www.coloradojudicial.gov) (mobile home)

If your circumstances are not covered under the Qualification (section #2 on the JDF 99B) you can post the JDF 99B with the notice being posted 10 days before filing the paperwork with the courts.
 - b) The Civil Unit may assist in serving this paperwork if promptly brought to the Civil Office.
 - c) If unclear on the above instructions, we advise to seek legal guidance.
- 2) Should the tenant fail to vacate the premises within the timeframe required, you must go to the El Paso County Court House, 270 S. Tejon Street, Room 101, to file the paperwork for a Summons: Forceful Entry Detainer. Multiple forms are required to be filed with the Summons. You will receive a court date. This paperwork must be served to the defendant (CRS 13-40-112) at least seven full days prior to the court date.
 - a) The Civil Unit may assist in serving this paperwork if it is promptly brought to the Civil Office.
- 3) If the Court renders a verdict in your favor, 48 hours after the judgment, the Court will issue a Writ of Restitution. This is the required court order to evict your tenant. You must pick up this order at the courthouse.
- 4) Immediately bring your Writ of Restitution to the Civil Office.

Office of the Sheriff

27 East Vermijo Ave. • Colorado Springs, CO 80903
719-520-7100

Wildland Fire Management

3755 Mark Dabling Blvd. • Colorado Springs, CO 80907

El Paso County Jail

2739 E. Las Vegas St. • Colorado Springs, CO 80906
719-390-2000

- a) Sheriff's fees for posting the Eviction Warning and execution of the Writ of Restitution is \$200.00, plus mileage fee.
 - b) Should you cancel the Writ of Restitution before it is posted, there is a \$20.00 computer service fee charged. If you cancel the Writ of Restitution after it is posted, there will be no refund.
- 5) The Writ of Restitution paperwork is processed by the Civil Office and assigned to a deputy based on Zip Code.
- 6) A courtesy Eviction Warning (Be Out By) Notice will be posted. The date and time written on the notice is NOT the actual date. The actual date will be scheduled at a date and time AFTER the Be Out By Date.
- 7) Scheduling of Eviction:
- a) All evictions are scheduled in the order they are received.
 - b) You must provide a local point of contact and a telephone number where this person can be reached between 7:30 a.m. and 4:30 p.m. Monday – Friday. Evictions are not executed between sunset and sunrise, weekends, or court holidays.
 - c) The Deputy scheduling your eviction will make two attempts to contact you or your point of contact for scheduling. Failure to respond to the deputy could result in the closing of the service and having your paperwork sent back to you.
 - d) Based upon manpower and the number of services the Sheriff is responsible for, your eviction will be scheduled as soon as possible.
 - e) Evictions are normally scheduled Tuesday – Thursday starting at 8:00 a.m. with some exceptions.
 - f) Each eviction is scheduled for no more than one hour. Apartments are typically scheduled for thirty minutes and houses for one hour.
- 8) Day of Eviction:
- a) It is the responsibility of the plaintiff, landlord, manager or point of contact to have enough manpower available to move out all the tenant(s) property in the allotted time. All personal belongings will be removed from the interior of the property (house/apartment/etc) and placed in a place accessible to the tenant for a reasonable amount of time as determined by the point of contact.
 - A. Should you have insufficient manpower the deputy could be unable or re-schedule your service. This means it could be several weeks before the eviction can be rescheduled.
 - B. You must furnish enough plastic bags and/or boxes to pack tenant(s) property.

- C. No dangerous items: drugs, knives, pesticides, chemicals, medications, items deemed “infested,” etc. will be set out. This property must be secured by the plaintiff, landlord, manager or point of contact.
 - D. Firearms will be removed by the deputy and placed in the Sheriff’s Evidence Facility for destruction or safe keeping for a period set forth in state statutes.
- b) Once all items of value are removed from the property, the Writ of Restitution and Eviction Completed Notice will be posted on the main entryway.
- 9) The deputy has the authority to reschedule an eviction based on circumstances deemed unsafe for the crew or any other party.
- 10) Should a settlement be made with the tenant prior to scheduled eviction, call the Civil Office to cancel the appointment. Your Writ of Restitution will be closed with appropriate fees deducted and sent back to you.

THE SHERIFF’S OFFICE ONLY ACCEPTS CASH, MONEY ORDERS or BUSINESS CHECKS. Business checks must have the name of the business, address, and telephone number type printed on them.

Problem tenants: Tenants who intentionally destroy rental property or pose a threat to other tenants (harassment) should be reported to your local law enforcement agent. If it is a life-threatening situation **Call 911.**

The El Paso County Sheriff’s Office employees are prohibited by State Statute from giving legal advice. CRS 30-10-520.