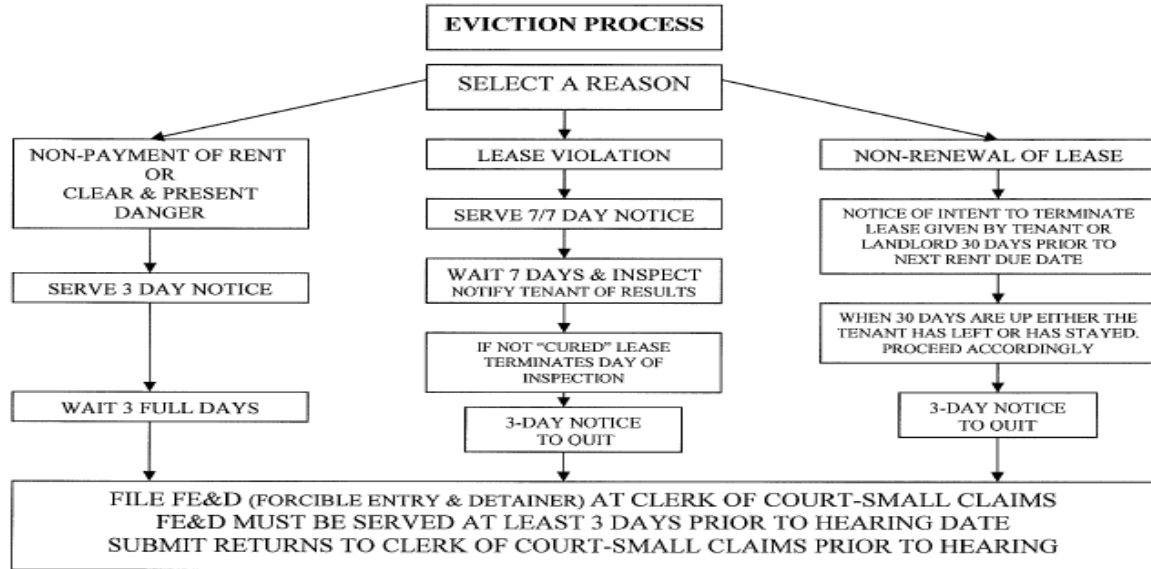




# Buena Vista Co Sheriff's Office

411 Expansion Blvd • PO Box 276 • Storm Lake, IA 50588  
712-749-2530  
Kory Elston, Sheriff



## SERVICE OF THE ORIGINAL NOTICE FOR FORCIBLE ENTRY AND DETAINER

When requesting service, please list the names of adults known to reside at the residence, whether they are listed on the rental agreement or not, and also list "Parties in Possession."

Because the service of this document is time-sensitive, our office, our office has adapted this policy to better ensure timely service and few postponed or rejected cases:

Buena Vista County Sheriff will, upon receipt of the Original Notice for Forcible Entry and Detainer paperwork, mail by regular and certified mail a copy to all defendants listed on the document and one to "Parties in Possession. We will then attempt personal service of the same. After 2 attempts, we will post the notice on the door of the residence with the date of posting clearly shown, take photos of the same and e-file all of the same to the Clerk of Court through the e-filing system..

Service and/or posting of the same must be made at least 3 days prior to the hearing. Mailing must be completed at least 4 days prior to the hearing. Immediate completion of the mailing should ensure that all parties comply with deadline.

**THE ABOVE IS PROVIDED AS AN OUTLINE OF THE PROCESS. FOR ANY LEGAL ADVICE AND DIRECTIONS, YOU SHOULD CONSULT YOUR ATTORNEY.**

## **WRIT OF REMOVAL PROCESS**

When the Buena Vista County Sheriff's Office receives the Writ from the landlord, the Plaintiff will be contacted to set up a time to execute the Writ. This time and date will be agreed upon by both the Plaintiff and the Sheriff's office. The final date is always dependent upon availability of deputies. Please be aware that plans may change based upon emergency calls received by the Sheriff's Office.

Once a date has been decided upon, the Sheriff's Office will deliver a Courtesy Notice to the Defendant's stating the time and place of the Writ's execution. There is no charge for this service to the Plaintiff. We find that a 3 Day Courtesy Notice will often result in the Defendant removing their items from the property.

The deputies are there to keep the peace, not to physically remove the property from the residence. The deputies will take possession of any cash, firearms, narcotics or other illegal items found. If the landlord begins the process, alters contents at the premises or changes the locks prior to the arrival of deputies, the deputy will assume that the property has been returned to the landlord and the Deputy will no longer be a part of the process. If you are unable to provide enough assistance to remove the tenants, the Writ of Removal will be rescheduled according to the deputies' schedules.

### **RESPONSIBILITIES OF THE LANDLORD**

- Provide enough people to complete the removal within 2 hours. We recognize that unusual circumstances do arise and will deal with them accordingly.
- Supply boxes, plastic bags and tarps to cover items in inclement weather. The landlord is responsible for the property and shall not do any unnecessary damage.
- Supply materials to secure the premises
- Remove property and vehicles from the premises to the curb
- Provide hand tools and appliance dollies for disconnecting and moving large items. Secure all large items, such as refrigerators and freezers as required by city code to keep children safe.
- Make arrangements to remove abandoned pets at the time of removal. The Sheriff's Office is unable to assume care or transportation for any animals. All fees for the transportation and care of abandoned animals fall to the landlord.
- It is the Landlord's responsibility to check the property the day before the scheduled Removal to see if the Writ needs to be executed. If deputies show up to effect a Writ of Removal and are not needed, you will be charged accordingly for time and mileage. If you cancel the Writ of Removal, the landlord assumes any liability for property left behind by the defendant.

**SHERIFF'S OFFICE FEES: Service of Original Notice is \$30.00 for first defendant plus \$20.00 per additional defendant at the same address plus mileage and applicable copy fees. Labor fee for deputy time is \$25 per hour.**

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