



# Washington County Sheriff's Office

SHERIFF  
JEFFREY J. MURPHY

Civil Division

UNDERSHERIFF  
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*"Community First"*

Upon receipt of a Warrant of Eviction, Warrant to Remove, Order to Dispossess, (or any other mandate directing that the Sheriff put the Landlord in full possession of a particular premise) signed by the issuing Judge and accompanied by the appropriate fee, (\$105.00 plus two mileages & notary fees per CPLR 8011 and 8012.), the document is processed and assigned to a Deputy. (Note: some actions contain a stay clause. When this occurs, the documents cannot be processed until after the stay date.) The Sheriff will **not** accept a Warrant more than 30 days old from the date of signature. All occupants to be removed must be listed on the Warrant. There is an additional charge of \$30.00 per person plus a \$2.00 notary fee.

Once served by the Deputy, the tenant is given 14 days including weekends and legal holidays to vacate the premises. The tenant is advised in writing, of the specific date and time due out. The tenant is not informed of the scheduled eviction date. The Petitioner/Landlord will be informed of the scheduled eviction date. **At the time of the eviction the Petitioner/Landlord will give the choice to remove and store the tenant's property or sign a waiver authorizing the Sheriff to perform a lock out eviction. This will not be performed without the signed waiver and the landlord will be responsible for the personal possessions of the tenants. The Sheriff's office will no longer authorize the personal possessions to be placed curbside. It will be the responsibility of the landlord/landlord's representative to see to it that any and all live animals are not abandoned and that they receive proper care and treatment.**

**The Deputy is there to see that the warrant is enforced. The Deputy does not personally remove the tenant(s) possessions.** At the scheduled eviction time, the landlord is responsible for providing sufficient personnel to remove the tenant(s) possessions to a secured storage facility unless a legal possession eviction is requested. The Deputy will be present during the removal to ensure there is no conflict between the landlord and tenant and that reasonable care is used in the removal to prevent damage to the tenant(s) property.

Once all personal items of the tenant have been removed or the lockout has been performed, the Deputy will check the residence with the landlord to ensure compliance. It is suggested that at some point during the eviction the locks be changed on the entry ways, but this is at the discretion of the landlord. It is at this point that the landlord regains possession of the premises and the eviction is complete.

1. If the landlord fails to have sufficient personnel available at the date and time of the eviction, the Deputy will cancel the warrant and the process will start over with the delivery of a new warrant and fees.
2. The eviction will be scheduled at the first available date after the 14 day time frame.
3. The scheduled date of eviction may only be extended at the discretion of the Sheriff, (I.E. *the landlord may not request an extension of time.*)
4. Service of process cannot be done on weekends, holidays or the Sabbath.
5. Execution of the Warrant must be between sunrise and sunset. If the Deputy feels the warrant will take more than one day this office may require advanced expenses to cover additional costs.