

# I received a writ of restitution

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Learn what happens after you receive a writ of restitution (sheriff's eviction notice) and about options for storing your stuff.

## **What is a writ of restitution?**

A **writ of restitution** is what the judge signs to order an eviction. The sheriff can deliver a writ of restitution to you personally or post it on your door. It will say the date and time by which you must move out.

If you don't move out on your own before the date and time on the writ of restitution, the sheriff may come back and:

- Order you off the property
- Physically remove you and your things from the property
- Change the locks on the home

Call your local sheriff's office if you have questions about their right to force you to leave the property. The number is usually listed on the writ of restitution.

## **I received a writ of restitution. What if I can't move my belongings myself?**

If you can, you should move your things out of the unit before the sheriff returns.

Your landlord must store your belongings only if **you give the landlord a written request for storage of your things within 3 days after getting the writ of restitution**. The writ should come with a "Request for Storage of Personal Property" form you can fill out and give the landlord. The landlord may also have to store your things if they know you have a disability that interferes with your ability to ask for storage.

You will probably have to pay your landlord storage costs to get your property back.

If the landlord doesn't store your things, they will usually put the property on the sidewalk or parking strip. If your property isn't stored, your landlord and the sheriff don't have to protect your property from theft, weather, or other damage.

If you need more time to move because of a disability, you can request a reasonable accommodation. You must write to your landlord and tell them that you need more time and how much more time because of a disability.

**I didn't move out by the deadline in the writ of restitution. I asked the landlord to store my things. Now what?**

The landlord must store the property until they sell it or dispose of it after appropriate notice to you of the proposed sale. You can read the state law about this at RCW 59.18.312 (<http://apps.leg.wa.gov/rcw/default.aspx?cite=59.18.312>).

**If your belongings are worth more than \$250:** The landlord may sell the property after giving you 30 days' notice of the sale. The landlord may sell all your things, including personal papers and family keepsakes. The landlord may dispose of any items that didn't sell.

**If your belongings are worth \$250 or less:** The landlord must give you only 7 days' notice before selling **or** disposing of all your things.

The landlord may keep some of the sale proceeds to pay the actual or reasonable costs of storage of your things. The landlord must give you the rest.

**Can I still stop my eviction after getting a writ of restitution?**

**Maybe.** You might be able to stop an eviction after the sheriff drops off the writ of restitution, or eviction order, but it can be hard. You may be able to stop it if the landlord did something wrong in the eviction process. Try to get legal help as soon as you can.

In some cases, like if you weren't served properly and so didn't attend the eviction hearing, you may be able to file a Motion to Vacate the Judgment and stop the enforcement of the writ of restitution.

If you were evicted because you owed rent, you may also be able to restore (to reinstate) your lease if you can pay everything you owe (back rent, court costs and

attorneys' fees) within **5 days** of the court entering the judgment against you. To do this, you must file a court document called a Motion to Reinstate Tenancy about this before the sheriff comes to make you leave the rental unit. You may also be able to file a motion asking for a payment plan. **These motions are complicated. Find legal help as soon as you can.**

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