



YAKIMA COUNTY SHERIFF'S OFFICE

Robert Udell, Sheriff

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TO: ALL LANDLORDS, THEIR AGENTS AND ATTORNEYS

RE: WRITS OF RESTITUTION -- SHERIFF'S OFFICE INSTRUCTIONS

All Writs of Restitution must be accompanied by a properly completed Writ of Restitution (Eviction) Intake Form. Additionally, a copy of the Request for Storage of Personal Property form, as provided in RCW 59.18.312, should accompany each copy of the writ.

If the Writ is pursuant to RCW 59.18 (Residential Landlord Tenant Act) or 59.20 (Manufactured/Mobile Home Landlord Tenant Act) we will only accept it for action if it contains an initial return period as well as any extensions in 10-day increments. The language in the order granting writ must match that of the writ. We strongly recommend extension language be included in the writ of restitution, allowing the Sheriff additional time to serve and enforce the writ. Suggested wording for automatic extensions: "In the event the Sheriff does not return said Writ within ten days of this date, said Writ of Restitution shall be automatically extended for additional ten-day periods until possession is delivered to Plaintiff". If the writ is not pursuant to 59.18 or 59.20, please use 20-day extension increments per the general unlawful detainer statute, RCW 59.12. Please have the Writ and/or order include language authorizing the Sheriff's Office to break and enter. We will return the writ to court if you don't contact our office within twenty days of the issuance of the writ. Please read our intake sheet at the link below.

Once a Writ of Restitution packet has been delivered to the Sheriff's Office Civil Section, the Civil Deputy or designated Deputy shall serve the listed defendant(s) and/or post the premises with the Writ of Restitution packet. This is usually done within 3 days after the Writ of Restitution packet has been received by the Sheriff's Office. After the Writ of Restitution packet has been served and/or posted, the tenant has three **judicial** days to move out voluntarily. If the tenant wants their property to be stored, they **MUST** serve the landlord a written request for storage no later than 3 days after the service of the packet. If after the third day the tenant has not moved out, it is the responsibility of the landlord, their agent or attorney, to notify the Civil Deputy that the tenants have not moved out and an execution will need to be scheduled.

At the time of the eviction the landlord will be required to provide all necessary manpower and materials to complete the eviction as expeditiously as possible. If the tenant requested storage, the landlord **MUST** store the property of the tenant. If the tenant objects to storage, the property **MUST** be placed on the nearest public property. If the tenant did not reply about the storage of their personal property, it can be stored (in place or in storage) **OR** placed on the nearest public property, whichever the landlord chooses. If taken to the nearest public property, this normally requires boxes, plastic garbage bags, and any other materials to secure the property in place, thereby not creating a nuisance-littering problem for the neighborhood. Sheriff's deputies are present at an eviction/move out to keep the peace and will not assist in, or participate in any way with, the removal of property.

If the landlord stores the tenant's personal property, the tenant has the right to get it back by paying the landlord the actual or reasonable costs of moving and storage, whichever is less. The landlord must provide written notice to the tenant prior to disposing of the property for non-payment of those costs. (Please refer to RCW 59.18.312 for more information about the return of property.)

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