

San Benito County Sheriff's Civil Division
2301 Technology Parkway, Hollister, CA 95023 (831) 636-4080

Eviction Instructions
Writ of Possession – Real Property CCP 715.10-715.050

Provide the Sheriff's Civil Division with the original writ and four copies.

1. To the Sheriff of San Benito County, pursuant to the attached writ, you are instructed to place the Judgment Creditor in peaceful possession of the below described property.

2. The Prejudgment Claim of Right to Possession: CHECK ONE

- was served in compliance with CCP 415.46 (must match line 24a(1) of the writ, or
- was not served in compliance with CCP 415.46 (must match line 24a(2) of the writ.

3. Who is to be evicted? List the name(s) of the Judgment Debtor(s) you want us to evict. The names listed below must match the names exactly as they appear on lines 4 and 21 of the writ, or the Sheriff will not act upon your instructions. _____

4. What is the address for the eviction? The address listed below must match the address exactly as it appears on line 24e of the writ, or the Sheriff will not act upon your instructions. We will serve the Debtor's by mail at this address, unless otherwise instructed. _____

5. Safety Hazards. List any safety hazards associated with evicting occupants: _____

6. Day of Eviction: You or your agent must be present at the scheduled time and date of the eviction. You are required to provide the Deputy with access to the interior of the premises in order for the Deputy to restore lawful possession of the property to you. The eviction process is not complete until the Deputy actually restores the possession of the property to you, even if the occupants vacate the premises prior to the Deputy's arrival.

Who will be taking possession? (AGENT) Name: _____

Daytime phone: _____ Cell phone: _____

If there is an Agent change for the day of the eviction, you **must** give this office **24 hour notice in writing** signed by the Attorney, Plaintiff or the assignee of record or the eviction will not take place. If this happens, new service will be required and all fees will have to be re-paid.

7. Cancellations: The eviction process is not complete until the Deputy actually restores the possession of the property to you, even if the occupants vacate the premises prior to the eviction. However, if you wish to cancel the eviction prior to the final restoration, the attorney of record or plaintiff **must** notify our office in writing prior to the date and time of the scheduled eviction.

8. Your Information

Your name: _____ Phone: _____

Your address: _____

Signature: _____

Must be signed by the Plaintiff, Attorney of Record or Assignee of Record.

I am the plaintiff plaintiff's attorney of record assignee of record.

NOTE: Evictions are executed in the order received. We do not promise to evict occupants on specific dates or times.

Returned paperwork: Paperwork will be returned unprocessed if the writ is incomplete, if the writ is missing required information, if the writ is invalid on its face or if the letter of instruction is unclear or insufficient. Any changes or corrections made to a writ after it is issued by the court must be initialed by the court clerk. The Sheriff will not act upon the writ otherwise.