

## EVICTION, UNLAWFUL DETAINER OR EJECTMENT?

Are you trying to remove someone from your property? What is the proper paperwork to file?

Use EVICTION PACKET, if.....

You are the owner of the property in question.

The person has an agreement (either verbal or written) to pay rent to you.

Example: Someone agrees to pay you \$800 a month to live in your house or apartment.

Use the SUBLEASE EVICTION PACKET if you are not the owner of the property, but have a lease in your name and you rented a room to another person.

Use UNLAWFUL DETAINER, if.....

The person does not have an agreement to pay rent, no longer has permission to stay on the property and does not own the property.

Example: You let your friend, girlfriend, boyfriend, or relative live in your home. You have now told them to leave and they refuse.

## EJECTMENT.

You own the property and someone else incorrectly claims that they own the property.

Example: You legally purchase a piece of property from the owner and record the deed. The former owner then sells the same property again to someone else. The other person is residing on the property and claims that they own it because they bought it from the former owner.

This is filed in Circuit Court and the Clerk's Office does not provide forms for this action. You may need to obtain legal advice for this situation or prepare your own documents for filing.

**THIS IS INTENDED AS A QUICK REFERENCE ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE.** This information may not apply to every situation and does not cover all circumstances. If you are unsure which category applies to you or have any questions you should consult a qualified attorney for assistance.