

Location

Joseph S. Yenni Building
1221 Elmwood Park Blvd.
Suite 602
Jefferson, LA 70123

(504) 736-8714

(504) 736-8719 FAX

Hours

Monday through Friday
9:00 am to 3:00 pm

Eviction Filing Fee

\$ 120.00

Cash or Check Only

Judge

Charles V. Cusimano, II



Interim Constable
ALLEN LEONE



5TH JUSTICE OF THE
PEACE COURT

*Eviction
Information*

eviction. This notice should state the violation for which the Resident is being evicted.

The Resident has the right to remedy the violation in that five (5) day period. Should the violation not be remedied, the Landlord may come to Court's office with a copy of the written notice that was issued and formerly file for eviction.

Return of Premises Without Lease or Expired Lease In the event that the Landlord simply wants the Resident to vacate the property, the Landlord must issue a written notice to the Resident TEN (10) DAYS PRIOR TO THE END OF THE MONTH. Landlords will need to make two copies of the notice. One copy should be tacked to the Resident's door and the other copy will be needed to formerly file for eviction.

This notice must state that the Resident is to vacate the property on the last day of the current month and the next month's rent will not be accepted.

Return of Premises with Lease See terms of lease.



WHAT HAPPENS ONCE THE LANDLORD HAS AN EVICTON JUDGMENT?

1. The Resident has 24 hours to vacate the premises from the court date (i.e. midnight the following night.)
2. Landlord may call the office the next business day, after the 24 hour period has expired, to request a physical eviction.
3. The clerk will draft a Writ of Ejection which Judge Cusimano must sign.
4. Signed Writ of Ejection is forwarded to Constable Ray Waguespack.
5. The Constable will contact the Landlord to set up an appointment to meet at the property.

PHYSICAL EVICTIONS

A \$40.00 fee is assessed for any physical eviction. Landlords must return to court with their judgment to have a writ issued.

- Landlords are responsible for providing the physical labor to move any possessions left by the Resident.
- All possessions are to be moved to the curb.
- Locks may be changed at this time.

OTHER IMPORTANT INFORMATION

- Once a formal eviction has been filed, the Landlord does not have to accept any rent.
- If Landlord accepts any rent after the formal eviction has been filed, the eviction is null and void.
- Eviction records are only held for 90 days after which they are destroyed.

If you have any questions, please call the office.

REASONS FOR EVICTIONS

Landlords evict Residents for three main reasons: Nonpayment of Rent, Violation of Lease, and Return of Premises.

Nonpayment of Rent If the Landlord and Resident have a current signed lease which includes a Waiver of Notice, the Landlord may formerly file for eviction once the resident is in default.

Waiver of Notice

"Upon termination of the right of occupancy for any reason, Lessee hereby expressly waives notice to vacate the premises prior to institution of eviction proceedings in accordance with La CCP Article 4701 of the Louisiana Civil Code of Procedure."

If the lease does not have a Waiver of Notice, the Landlord must issue a written Five (5) Day Notice to Vacate.

Landlords will need to make two copies of the notice. One copy should be tacked to the Resident's door and the other copy will be needed to formerly file for eviction.

Sample Five (5) Day Notice to Vacate

Date: _____
 To: Resident
 Address _____
 Address _____

YOU ARE HEREBY NOTIFIED and required to VACATE the premises occupied by you, situated at (address), within FIVE (5) DAYS next after receipt of this notice due to (reason). If in default thereof, you will be dealt with according to the law.

 LANDLORD

1. Violation of Lease Should the Resident violate the lease, the Landlord must issue a written Five (5) Day Notice to Vacate to the Resident.

Landlords will need to make two copies of

the notice. One copy should be tacked to the Resident's door and the other copy will be needed to formerly file for