

Washington County Sheriffs Office  
Civil Division  
Warrants of Eviction and 72 Hour Notice

Upon receipt of a Warrant of Eviction, Warrant to Remove, Order to Dispossess, (or any other mandate directing that the Sheriff put the Landlord in full possession of a particular premise) signed by the issuing Judge and accompanied by the appropriate fee, ( \$105.00 plus mileage & notary fees per CPLR 8011 and 8012.), the document is processed and assigned to a deputy. ( Note: some actions contain a Stay Clause. When this occurs, the documents cannot be processed until after the stay date.) The Sheriff will not accept a Warrant more than 30 days old from the date of signature.

Once served by the Deputy, the tenant is given 72 hours excluding weekends and legal holidays to vacate the premises. The tenant is advised in writing, of the specific date and time due out. The landlord is also advised of the service and the date that the tenant is due out and is reminded to schedule adequate personnel and/or equipment to remove the tenants personal property in the event that the tenant has not done so.

**The Deputy is there to see that the warrant is enforced. It is not his job to personally remove the tenants possessions.** At the point the 72 hours expires the landlord is responsible for providing sufficient personnel to remove the tenants possessions to the curbside. The Deputy will be present during the removal to ensure there is no conflict between the landlord and tenant and that reasonable care is used in the removal to prevent damage to the tenants property.

Once all personal items of the tenant have been removed, the Deputy will check the residence with the landlord to ensure compliance. It is suggested that at some point during the eviction the locks be changed on the entry ways, but this is entirely up to the landlord. It is at this point that the landlord regains possession of the premises and the eviction is complete.

Additional information including the responsibilities of the landlord is provided below.

1. **If the landlord fails to have sufficient personnel available at the date and time of the eviction, the Deputy will cancel the warrant and the process will have to be begun again with the delivery of a new warrant and the required fees.**
2. Please note that weekends and public holidays can not be counted in the calculation of the 72 hour notice.
3. Should the service of the warrant cause the 72 hour time frame to occur on the same date and time as a previously scheduled removal, the Warrant served first will be executed first. Accordingly the Warrant served second will be scheduled for the following business day.
4. The 72 hour time frame may **only** be extended at the discretion of the Sheriff. (I.e. the landlord may **not** request an extension of time.
5. Service of process cannot be done on weekends, holidays or the Sabbath.
6. Execution of the Warrant must be between sunrise and sunset.  
<http://www.co.washington.ny.us>