

# HOW TO USE DIFFERENT TYPES OF ORDERS IN EVICTION CASES

**IMPORTANT:** This overview is not legal advice. It is only meant to help you learn how to use the different orders in an Eviction case. Your use of the forms does not guarantee you will be successful in court.

Eviction cases may end by agreement, or after a hearing or trial. The following information will help you determine which order you should use in your case.

## **ORDERS TO USE WHEN THERE IS AN AGREEMENT:**

### **1. *Agreed Dismissal Order (Case May Be Reinstated if Defendants Violate Agreement)***

Use this order when:

- Plaintiff agrees to dismiss the case if the Defendant agrees to do certain things like move out or pay money by a certain date, and
- Plaintiff wants the right to bring the case back to court by a certain date if Defendants do not do what they agreed to.

Dismissing the case means the case will end. Permission to reinstate means the case could be brought back to court if the Defendant does not do what they agreed to do.

### **2. *Agreed Settlement Order with Status Date (Defendants Will Move)***

Use this order when:

- Plaintiff agrees to dismiss the case if Defendants move out by a certain date.

### **3. *Agreed Settlement Order with Status Date (Defendants Will Pay & Stay)***

Use this order when:

- Plaintiff agrees to let Defendants stay if Defendants pay a specific amount of money by a certain date.

### **4. *Compliance (Follow-up) Order in Eviction Cases***

Use this order when:

- Defendants have done everything they agreed to do.
- The compliance order dismisses the case for good. After a compliance order is entered the case cannot be brought back to court.

## **ORDERS TO USE AFTER A HEARING OR TRIAL:**

Each of these Orders can also be entered by agreement.

### **1. *Eviction Order***

Use this order when:

- Plaintiff has won the case, and
- is entitled to possession of the property.

This *Order* can also award Plaintiff a money judgment for rent/assessments, court costs, and/or lawyers' fees.

### **2. *Judgment for Money Only in Eviction Case***

Use this order when:

- Defendants have moved out of the property, and
- Plaintiff has proven that they are entitled to a money judgment for rent/assessments, court costs, and/or attorneys' fees.

### **3. *Judgment for Defendant in Eviction Case***

Use this order when:

- Defendants have won the case, and
- Defendants do not have to move.

This *Order* can also award Defendants a money judgment for counterclaims, court costs, and/or lawyers' fees.

## **ORDER FOR PLAINTIFF TO USE TO DISMISS THEIR OWN CASE:**

### **1. *Order Granting Plaintiff's Motion to Dismiss (coming soon)***

Use this order when:

- Plaintiff no longer wants to pursue the case. Defendants do not have to agree to this order, but in most cases, Defendants would have no reason to object.

# EVICTION COURT – HOW TO USE DIFFERENT COURT ORDERS

- **Plaintiff** files the eviction case and is usually the landlord or owner of the property.

- **Defendants** are being sued and are the tenants or occupants of the property.

