



WADSWORTH  
**MUNICIPAL COURT**

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**EVICITION PACKET**  
**FORCIBLE ENTRY AND DETAINER ACTIONS**

**TO FILE AN EVICTION CASE, YOU WILL NEED:**

- A copy of the served **30 DAY NOTICE** (If required in your case per the attached *Ohio Revised Code – Notice Sections*.)
- A copy of the served **3 DAY NOTICE / NOTICE TO LEAVE PREMISES**. (Required in all cases.)
- Original completed **COMPLAINT FOR EVICTION AND MONEY DAMAGES**.
  - **OUR CLERKS ARE NOT ATTORNEYS AND ARE NOT PERMITTED TO GIVE YOU ANY LEGAL ADVICE REGARDING THE COMPLETION OF THE COMPLAINT.** Therefore, it is the responsibility of the filer to complete, providing true, accurate and legible information.
- The original **COMPLAINT FOR EVICTION AND MONEY DAMAGES** along with two (2) additional copies for each defendant and one (1) copy for the plaintiff as well as any other paperwork being filed at that time.
- Filing fee - \$135.00

**TO REQUEST THE PROPERTY BE RETURNED TO PLAINTIFF, YOU WILL NEED:**

- Completed **PRAECIPE FOR WRIT OF RESTITUTION**
- Filing fee - \$110.00

Note: Once the **Writ of Restitution** is prepared by the clerk and forwarded to the Sheriff for service, the sheriff will call the property owner listed as point of contact on the **Praecipe for Writ of Restitution**. This process is solely enforced by the sheriff. Please do not contact the clerks regarding the move-out status.

**DISCLAIMER: *The clerks are pleased to answer questions pertaining to the court process, but cannot give legal advice. You are strongly encouraged to contact an attorney should you have any legal questions or questions regarding the completion of the provided forms.***

## Ohio Revised Code – Notice Sections

Depending on the reason for the eviction, the Ohio eviction notice may be 3 days or 30 days.

### 3-Day Notice – Always needed on all evictions

For nonpayment of rent or in cases where the landlord has knowledge of a search warrant executed against the tenant or a person living on the property for illegal drug activity, the notice is 3 days. The notice must advise the tenants that they are being asked to leave or that an eviction action will be brought against them. They are also advised to seek legal assistance if they have any questions or concerns.

\*\*This form can be provided by the Court

### 30-Day Notice – May be required in addition to a 3-Day Notice

For matters concerning a breach or violation of a material provision in the written lease, the Ohio eviction notice is 30 days. This also applies to month-to-month tenancies where a full rental month's notice is required.

\*\* We do not provide a 30-Day Notice form. You may find a form online, from an attorney, local bar association, etc or write one yourself.

**Regardless of when 30 day notice is served, the 30 days doesn't run until the next full rental month term. Example: Rent is from 1<sup>st</sup> of month to end of month. Serve 30 Day Notice on June 15<sup>th</sup>, the 30 days runs from July 1<sup>st</sup> to July 31<sup>st</sup>. You may file the 3 Day Notice on August 1<sup>st</sup>.**

These notices may be served personally on the tenant or given to someone residing there, or it may be posted on the unit door or left in a conspicuous location.

#### O.R.C. §1923.04

*A party desiring to commence an action under this chapter shall notify the adverse party to leave the premises, for the possession of which the action is about to be brought, three or more days before beginning the action, by certified mail, return receipt requested, or by handing a written copy of the notice to the defendant in person, or by leaving it at the defendant's usual place of abode or at the premises from which the defendant is sought to be evicted.*

**NOTICE TO LEAVE THE PREMISES**  
**(3 Day Notice)**

Serve Date: \_\_\_\_\_

Dear: \_\_\_\_\_

The purpose of this letter is to ask you to LEAVE the premises now in your possession, situation in \_\_\_\_\_, Ohio, and known as: \_\_\_\_\_  
(city) (village) (township) (full address and suite number of rental)

\_\_\_\_\_, together with the lot of land on which these premises are located. You are being asked to **LEAVE** for the following reason:

\_\_\_\_\_  
(state reasons for eviction)

Your compliance with this Notice by \_\_\_\_\_ will prevent any eviction against you.  
(date)

**YOU ARE BEING ASKED TO LEAVE THE PREMISES. IF YOU DO NOT LEAVE, AN EVICTION ACTION MAY BE INITIATED AGAINST YOU. IF YOU ARE IN DOUBT REGARDING YOUR LEGAL RIGHTS AND OBLIGATIONS AS A TENANT, IT IS RECOMMENDED THAT YOU SEEK LEGAL ASSISTANCE.**

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

This Notice must be served at least 3 full days prior to commencing an eviction action

**IN THE WADSWORTH MUNICIPAL COURT  
MEDINA COUNTY, OHIO**

\_\_\_\_\_  
Property Owner's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

VS. **PLAINTIFF** (Property Owner)

CASE NUMBER: \_\_\_\_\_

**COMPLAINT FOR EVICTION AND  
MONEY DAMAGES**

\_\_\_\_\_  
Tenant's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

**DEFENDANT** (Tenant)

**FIRST CLAIM FOR RELIEF (EVICTION)**

1. Plaintiff is the \_\_\_\_\_ (owner) of premises located at \_\_\_\_\_  
\_\_\_\_\_ (address of premises tenant is to be evicted from),  
\_\_\_\_\_ (city/township/village), Ohio.
2. Defendant is a tenant at the premises at \_\_\_\_\_.  
(address of premises tenant is to be evicted from)
3. Defendant is in default of the lease/rental agreement because \_\_\_\_\_  
\_\_\_\_\_  
Defendant has not paid rent since \_\_\_\_\_ (date).
4. On \_\_\_\_\_ (date), Plaintiff served Defendant a Notice to Leave the  
Premises pursuant to ORC §1923.04. (copy of Notice to Leave Premises to be filed with this Complaint)
5. Defendant has since \_\_\_\_\_ (date Notice to Leave Premises 3 day period expired)  
unlawfully and forcibly detained from the Plaintiff possession of the above-described  
premises.

**SECOND CLAIM FOR RELIEF (MONEY DAMAGES – NOT TO EXCEED (\$15,000.00))**

6. Defendant owed back rent in the amount of \$ \_\_\_\_\_, future rent (until Defendant vacates the premises and/or premises are rented, whichever may be applicable), and/or unspecified damages in the amount to be determined after Plaintiff has an opportunity to inspect the premises.

WHEREFORE, with respect to the First Claim for Relief, Plaintiff prays for restitution of the premises; with respect to the Second Claim for Relief, Plaintiff requests the total amount due for back rents, future rents, and/or damages, and the costs of this action.

Respectfully submitted,

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

**IN THE WADSWORTH MUNICIPAL COURT  
MEDINA COUNTY, OHIO**

\_\_\_\_\_  
Plaintiff(s) Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

VS.                    **PLAINTIFF**

**PRAECIPE FOR  
WRIT OF RESTITUTION**

\_\_\_\_\_  
Defendant(s) Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

**DEFENDANT**

To the Clerk:

Please issue a Writ of Restitution to enforce restitution and a move-out for the premises located at:

\_\_\_\_\_  
(street address with apt. number)

\_\_\_\_\_  
(city, state and zip)

Respectfully submitted,

\_\_\_\_\_  
Plaintiff(s) Signature

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Move – out contact name and telephone number