

Florida Eviction Process: Step-by-Step

1. Provide Written Notice to Tenant

- **Non-Payment of Rent:**
Serve a **3-Day Notice to Pay Rent or Vacate**. This gives the tenant **3 business days** (excluding weekends and legal holidays) to pay or move out.
 - Most leases require one month of delinquency for failure to pay.
- **Lease Violation:**
 - **7-Day Notice with Cure:** Used if the violation can be fixed (e.g., unauthorized pet, noise complaints).
 - **7-Day Notice without Cure:** Used for serious or repeated violations (e.g., property damage, criminal activity).

Notice must be **delivered personally**, posted on the door, or sent by certified mail.

2. File an Eviction Lawsuit (Complaint for Eviction)

If the tenant does not comply with the notice:

- File an **eviction complaint** in **County Court**.
 - Pay the court filing fee (\$185–\$200) and a **summons issuance fee** (\$10).
 - The **clerk of court** issues a **summons**.
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3. Serve the Tenant (Summons & Complaint)

A **process server** or **sheriff** delivers the summons and complaint to the tenant. The tenant has **5 business days** (not including the day of service, weekends, or legal holidays) to respond in writing **and** deposit any rent owed into the court registry.

4. Tenant Response (or Default Judgment)

- If the tenant **responds**:
 - A hearing may be scheduled to decide the outcome.
 - If the tenant **does not respond** or fails to deposit rent:
 - The landlord can request a **default judgment** for possession.
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5. Court Hearing (if needed)

- The judge hears both sides and may:
 - Rule in favor of the landlord (granting eviction),
 - Deny the eviction,
 - Set conditions for compliance (rare).
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6. Writ of Possession

If the court rules for the landlord:

- The judge issues a **Writ of Possession**.
 - Delivered to the **county sheriff**, who posts it on the door.
 - The tenant has **24 hours** to vacate voluntarily.
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7. Sheriff Removes Tenant

If the tenant does not leave in 24 hours:

- The sheriff physically removes them.
 - The landlord may then **change the locks**.
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Important Notes

- **Self-help evictions** (like changing locks or removing belongings without court order) are **illegal**.
- Florida landlords **cannot retaliate** against tenants who report code violations or exercise legal rights.
- Evictions stay on a tenant's **public record** and may impact future housing applications.