

DARKE COUNTY MUNICIPAL COURT
504 SOUTH BROADWAY, SUITE 7, GREENVILLE, OHIO 45331
Eviction Information Sheet

About Eviction Cases (O.R.C. §1923): The party who initiates an action is the plaintiff. The party against whom an action is brought is the defendant. You must be the owner of the real estate premises to file the Eviction Complaint. If the real estate is owned by a corporation or limited liability company (LLC), you must hire an attorney to file the Eviction Complaint on your behalf. If you have any questions concerning your legal rights, you should contact an attorney for advice, the Court is not permitted to give you legal advice regarding your case.

What does it cost to file an Eviction: The filing fee is \$128.00, which includes up to two (2) Defendants. If you are filing for more than two (2) Defendants, there is an additional filing fee for each additional Defendant that is determined by the location of the premises. Please call the Court for any additional filing fees.

Before you file your case: Make sure you know the legal name of the person or business you intend to sue. Suing the wrong party could cause the case to be dismissed.

Notice to Leave Premises: This notice must be served in compliance with O.R.C. §1923.04(A) and be fully complied with prior to filing the Eviction Complaint with the Court. The entire process starts with proper notice.

How and where to file your case: The Eviction Complaint and a copy of the Notice to Leave Premises must be filed at the Civil Division of the Darke County Municipal Court, located at 504 S. Broadway, Suite 7 (Third Floor), Greenville, OH 45331. If you are sending the Eviction Complaint by mail, the filing fee must be in the form of a local Darke County Bank check, certified check, cashier's check, or a money order. Do not send cash in the mail. You must pay the appropriate filing fee when you file your complaint.

You must provide the appropriate number of copies to the Court when filing. Number of copies needed when filing: Original for the Court, one copy for each Plaintiff and two copies for each Defendant. If you do not bring the appropriate number of copies to file, you will be charged \$0.25 per page for the Court to make these copies for you.

If you are filing the complaint as a Power of Attorney (POA), you must submit the POA documents when filing the complaint.

Evidence: You must bring all of your evidence to your scheduled court date. You must provide a copy to the Court, a copy for the opposing party and a copy for yourself, or it may not be considered evidence. Evidence must be clean with no highlighting. Each page must be numbered in the top right corner – only numbers no letters (1 through however many pages submitted). Photographs and/or videos on your cellphone will not be considered.

Dismissals: The Plaintiff at any time may dismiss the action that was filed by him/her. Any dismissal must be done in writing, the court will not accept requests for dismissals over the phone. There are Dismissal forms available on the Court website, www.darkecourts.com.

Satisfactions: Once the claim has been paid in full, the Plaintiff is required to file a written notice to the court that the claim has been satisfied. There are Satisfaction forms available on the Court website, www.darkecourts.com.

DISCLAIMER: This information sheet is not legal advice and should not be used in place of an attorney. It will not make you an authority on Evictions, and does not guarantee you will win your case or collect judgment.

Please visit: www.ohiolegalhelp.org for additional resources.