



Pima County Justice Courts

When an Eviction Judgment Is issued against you

When an eviction judgment is issued against you, it has two parts to it; the possession part and the money part.

Possession:

Before the judgment, you, the tenant, had the legal right to possession of the premises (the house or apartment) even though the landlord owned it. However, the right to possess was terminated by the Judge's signature on the Judgment. The transfer of the right to possession actually occurs after the Judgment when either the tenant surrenders possession to the landlord or the landlord obtains a Writ of Restitution from the Court. A Writ of Restitution usually won't issue until five days after the judgment. A Writ of Restitution is when the constable comes out, escorts you out the front door and changes the locks, leaving you with an additional charge of more than \$100.00 added to your judgment. At that point, it is a crime for you to go back to the apartment. If you have left things behind in the apartment they are now in limbo; you may well have to pay storage costs to the landlord before you retrieve them. It is far better to get everything out before the Writ of Restitution date, and then to **turn the keys into the office (don't take the keys with you, don't leave them in the apartment)**

Money Judgment:

The judgment is usually for rent, late fees, costs and perhaps attorney's fees. It is a regular money judgment that earns interest, gets reported to credit agencies and can be enforced by garnishments and similar proceedings. Once the judgment is paid in full, you may request that the landlord or landlords attorney send in a satisfaction of judgment to both you and the court.

Reinstating your Lease:

It is possible you can sit down with the landlord, pay this judgment off, and reinstate your lease. That is fine if the landlord agrees but be careful; if the landlord declines, the Court cannot help you. And if the landlord says yes, make certain you get it in writing. You need to reinstate your lease, or get something in writing signed by the landlord, allowing you to stay on the property.