

## CELINA MUNICIPAL COURT – FORCIBLE ENTRY & DETENTION (EVICTION)

1. Executed 30 Day and Three-Day Notice to Leave the Premises **OR** Three-day Notice to Leave Premises must be served upon tenant. If service is not done correctly, case may be dismissed. If unsure, you may need to contact an attorney.
2. To file an eviction there is a \$125.00 filing fee.
3. The owner of the property is the plaintiff. If you are filing a complaint for an eviction, you must be the owner of the real estate. If the real estate is owned by a Corporation, Limited Liability Company (LLC) or Trustee of a Trust, you must secure the services of an attorney to file the eviction complaint on behalf of said owner. **A copy of the deed must be attached to complaint to show ownership by Plaintiff.**
4. The notice to leave premises and rental agreement (if there is one) must be attached to the complaint when filed. The number of required copies are as follows: (a) one original signed copy for the Court (b) two service copies for each defendant. If additional copies are needed there is a charge of \$0.25 per page.
5. Eviction Hearings are scheduled three weeks out and are on Mondays at 9:00am. The Civil Clerk will notify you of your Eviction Hearing date and time.
6. Parties may subpoena witnesses at an additional \$40.00 each witness. Parties may bring additional witnesses and exhibits to the hearing. Bring 3 copies of all exhibits (one for each: yourself, court, defendant)
7. If the defendant removes themselves from the property before the court date, you must inform the court and additional paperwork is required for a dismissal.
8. **The Deputy Clerks CANNOT provide legal advice.** The information provided about evictions is not intended as legal advice, but to help you understand the Eviction process. If you have any questions, you should contact an attorney.

**Ohio Law requires that you remove all social security numbers and/or all account numbers (bank, credit card, etc.) from all documents you file with the court.**

CELINA MUNICIPAL COURT, MERCER COUNTY, OHIO

202 NORTH MAIN ST, PO BOX 362, CELINA, OH 45822 • PHONE 419-586-6491

Instructions: Please, type or print. Attach copy of rental agreement, if any, 3-day notice, 30-day notice if required and a copy of Deed. Provide a brief description of grounds for eviction in space provided. Complaints that are incomplete, unfounded, or lack required attachments, are subject to dismissal. This form is not legal advice; for advice you must confer with an attorney. ALL LINES MUST BE COMPLETED..

LANDLORD NAME(S) -PRINTED - PLAINTIFF

CASE NO: \_\_\_\_\_

ADDRESS

COMPLAINT FOR EVICTION

STATE, CITY, ZIP PHONE NUMBER

FORCIBLE ENTRY AND DETAINER

-VS-

TENANT NAME(S) - PRINTED - DEFENDANT (1)

TENANT NAME(S) - PRINTED - DEFENDANT (2)

ADDRESS

ADDRESS

STATE, CITY, ZIP PHONE NUMBER

STATE, CITY, ZIP PHONE NUMBER

FIRST CLAIM: Complaint for Restitution of Premises (Eviction) - Forcible Entry and Detainer. R.C. § 1923.01

- 1. PLAINTIFF(S) STATES THAT THEY ARE OWNER(S) OF THE PREMISES. THE ADDRESS THAT THE TENANT(S) IS TO BE EVICTED FROM IS: \_\_\_\_\_ LOCATED IN MERCER COUNTY, OHIO
2. DEFENDANT(S) IS IN POSSESSION OF THE PREMISES OF WHICH PLAINTIFF IS SEEKING RESTITUTION DUE TO THE FOLLOWING REASON: (CHECK ONE) \_\_\_ NON-PAYMENT OF RENT \_\_\_ OTHER: \_\_\_\_\_ (LIST REASON)
3. PLAINTIFF SERVED THE DEFENDANT WITH A NOTICE TO LEAVE PREMISES IN WRITING ON: \_\_\_\_\_ PLAINTIFF SERVED NOTICE ON TENANT BY: PERSONALLY - MAIL- TAPED TO DOOR, OTHER \_\_\_\_\_
4. THE DATE ON THE NOTICE FOR TENANTS TO VACATE PREMISES IS LISTED AS: (SEE NOTICE ATTACHED): \_\_\_\_\_
5. THE TENANCY WAS INDEFINITE AND PERIODIC (eg., month-to-month) and on \_\_\_\_\_ Plaintiff(s) served Defendant(s) a 30-day notice (copy attached) terminating the tenancy. R.C. § 5321.17. (Not required in default-on-rent cases.)

SECOND CLAIM: Complaint for Money Judgment (Optional, additional deposit may be required) Civ Rule 4.1

- 1. PLAINTIFF REITERATES AND REAFFIRMS ALL OF THE ALLEGATIONS IN THE FIRST CLAIM. THE TENANT(S) OWE RENT IN THE FOLLOWING AMOUNT OF \$ \_\_\_\_\_ WHICH INCLUDES ALL RENT UP TO AND INCLUDING THE CURRENT RENTAL PERIOD.
2. PLAINTIFF MAY BE ENTITLED TO MONEY FOR DAMAGES BEYOND "NORMAL WEAR AND TEAR", IN ADDITION TO ANY LATE CHARGES AND UTILITIES. AMOUNT TO BE DETERMINED DURING SECOND CAUSE HEARING.
3. REQUEST FOR SERVICE: Serve process at the address shown by ordinary mail and personal or residence service, whichever can be accomplished first.

AFFIRMATION:

- 1. PLAINTIFF REITERATES AND REAFFIRMS ALL OF THE ALLEGATIONS IN IN BOTH THE FIRST AND SECOND CLAIMS.

WHEREFORE, PLAINTIFF(S) DEMAND: (check all that apply)

- (a) \_\_\_ Restitution and recover of above listed premises.
(b) \_\_\_ Judgment for back rent in the amount \$ \_\_\_\_\_.
(c) \_\_\_ Potential damages, late charges, and utilities yet to be determined.

PLAINTIFF(S) NAME - PRINTED

DEPUTY CLERK

PLAINTIFF(S) NAME - SIGNATURE

## NOTICE TO LEAVE PREMISES

Rev. Code Sec 1923.04

To: \_\_\_\_\_

I wish you to leave the premises you now occupy,

situated in the City/Village of \_\_\_\_\_, County of Mercer, and State of Ohio, and known as:

Address: \_\_\_\_\_

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

You are being asked to LEAVE for the following reason: \_\_\_\_\_

Your compliance with this notice within three days after its service will prevent any legal measure being taken by the undersigned to secure possession.

Yours Respectfully,

\_\_\_\_\_ Signature

\_\_\_\_\_ Print Name

Date Served: \_\_\_\_\_

---

**“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 OBLIGATION AS A  
TENANT, IT IS RECOMMENDED THAT YOU  
SEEK LEGAL ASSISTANCE.”**

---

**30 DAY NOTICE TO VACATE**

Tenant Name: \_\_\_\_\_

Rental Address: \_\_\_\_\_

To the above Tenant and all others in possession of the above premise:

You are hereby given notice to vacate the above premises within (30) Thirty days from the service of this notice. You are required to surrender possession of the above premises to the Landlord on or before this date: \_\_\_\_\_.

(Optional) You are being vacated for the following reason(s): \_\_\_\_\_

---

It is understood that:

1. The Tenant is responsible for all repairs and cleaning to restore the above premises to move-in condition (after accounting for normal wear and tear.)
2. The deposit security cannot be used as the final month's rent.

**PROOF OF SERVICE:**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, this notice was served by:

\_\_\_\_\_ Delivering a copy of the notice to the above Tenant personally.

\_\_\_\_\_ Leaving a copy of the notice with a person of suitable age and discretion at the Tenant's residence.

\_\_\_\_\_ Sending a copy of the notice by registered or certified mail to the Tenant as his/her residence.

\_\_\_\_\_ Attaching a copy of the notice to the inside of the front entry door of the premises.

Landlord Name: \_\_\_\_\_

Landlord Signature: \_\_\_\_\_

Landlord Address: \_\_\_\_\_

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