



# CLEVELAND MUNICIPAL COURT

## HOUSING DIVISION

### JUDGE RONALD J. H. O'LEARY

## Eviction Procedures in Cleveland (and Bratenahl) General Information about Eviction Actions

### Required Documents

- Notice to Leave Premises **3-Day:** [http://clevelandhousingcourt.org/pdf\\_housingcourt/en-US/Forms/30DayNotice.pdf](http://clevelandhousingcourt.org/pdf_housingcourt/en-US/Forms/30DayNotice.pdf), Form 67A\*, or other notice compliant with Local Rule 6.01
- Eviction Complaint **Termination of Periodic Tenancy:** <http://clevelandhousingcourt.org/pdf/termnotice.pdf>, or Other notice compliant with R.C. 5321.17
- Proof of Ownership Form 652\* or similar, must comply with Local Rule 6.022.
- Secretary of State status\*\*\* Proof of business entity registration with the Ohio Secretary of State Copy of deed, tax bill, or Fiscal Officer record. \*\*

\*Forms are available from Ohio Legal Blank Note Co., 530Euclid Ave, Cleveland Ohio 44115, 216-589-5505  
 \*\*Proof of ownership is required with all eviction filings under Local Rule 3.012. Proof can be made with a copy of the deed, a copy of a tax bill, or a print-out of the property record from the Cuyahoga County Fiscal Officer obtained from <http://fiscalofficer.cuyahogacounty.us/AuditorApps/real-property/REPI/default.asp>  
 \*\*\*Required for all business entities (Local Rule 3.011). Documentation available at [www.sos.state.oh.us](http://www.sos.state.oh.us)  
 Local Court Rules and additional forms are available at: [www.clevelandhousingcourt.org](http://www.clevelandhousingcourt.org)

### Eviction for non-payment or other reason – 3-Day Notice

- Service (R.C. 1923.04) can be made by:
- Posting on the entry door of the premises;
  - Hand delivery to tenant in person; or
  - Certified mail (seek advice of attorney)
- Notice must be given 3 business days before filing. The following do not count toward the 3 days:
- The day of service
  - Weekends or holidays
  - The filing date

The landlord must retain a copy of the notice for filing with the complaint.

### Eviction by termination of a month-to-month tenancy – 30-Day Notice

- Service (R.C. 1923.04) can be made by:
- Posting on the entry door of the premises;
  - Hand delivery to tenant in person;
  - Certified mail (seek advice of attorney); or
  - As provided in the lease.
- Notice in writing must be given on or before the periodic rental date. It should notify the tenant that the tenancy is terminated and to vacate and return keys by the end of the rental period. If tenant does not vacate, the landlord may then proceed with a 3-day notice and eviction action.

The landlord must retain a copy of the notice for filing with the complaint.

### Filing an Eviction Action

**Location:** Evictions are filed on the second floor of the Justice Center, 1200 Ontario Street, with the Civil Division of the Municipal Clerk of Courts.

### Required Documents:

- Complaint in Forcible Entry and Detainer (original plus 1 copy for landlord records, plus 2 copies for each person named as a defendant)
- Copy of notice(s) served on tenant(s)
- Proof of ownership (Local Rule 3.012)
- Copy of written lease (Local Rule 6.022)

**Filing Fees:** \$110.00 plus \$7.00 for each additional adult person named in the eviction.  
**Attorneys:** Unless title to the property is held individually in the name of the landlord/plaintiff, the eviction cannot be filed without an attorney.  
**Entities:** All evictions by organizational owners (e.g. corporations, LLCs, LPs, Trusts, etc...) must be filed by an attorney. Organizational owners must also submit proof of registration with the Ohio Secretary of State (Local Rule 3.011).

This document is provided by the Housing Court for informational purposes only. It should not be taken or used as legal advice. The Court's Housing Specialists are not attorneys and will not provide you with legal advice. Each circumstance and case is unique; following the information contained herein does not guarantee a favorable outcome. If you have questions about your particular situation or would like guidance on how you should proceed, you should speak with an attorney.