

# EVICTON OF TENANT PROCESS

The property owner can evict if the tenant has defaulted in payments (monthly, weekly, etc.) violated the terms of the lease, or the agreement/lease has ended.

You as the property owner want to know what you can do to have the tenant and all occupants evicted:

1. Property owner must send by certified mail one of the following written notices to the tenant and all occupants.
  - 5-DAY NOTICE- for failure or refusal to pay rent. Tenant must be told that they have five days from the date on the notice to pay or an eviction process will begin. If this notice is included in your lease agreement, a written notice is **NOT** necessary.
  - 14-DAY NOTICE- For violation of lease.
  - 30-DAY NOTICE- The terms of the tenancy or occupancy have ended.
  - 30-DAY NOTICE- For undesirable tenant with **NO** written lease.
- ❖ If the tenant is renting the lot but owns a mobile home, the letter should state; after the 30 days the mobile home will be removed at owner's expense.

**(Be sure to keep a copy of the notice sent certified)**

2. You can visit the Magistrates Office or our website to get an application for ejectment.
  - A \$40.00 dollar application fee is required
  - You must provide two copies of the application, the lease or certified letter along with the receipt.
3. After filing with the magistrate's office, the claim will be served on the defendant and given TEN days to satisfy your claim or move from your property.
4. After the TEN days, if the tenant has failed to satisfy your claim, move from your property, or requests a hearing with the court, you may file for a **WRIT OF EJECTMENT**. This gives the tenant twenty-four hours before the process server begins the set-out process. A \$10.00 service fee is required.
5. You can stop the eviction process at any time by sending a written notice to the Magistrates Office.

IF YOU HAVE ANY QUESTIONS CONTACT:

Chester County Magistrates Court  
2740 Dawson Drive  
Chester, SC 29706  
803-581-5136 Ext. 1 Civil Department  
<https://www.chestercountysc.gov/magistrate-court>

**(We are not allowed to give legal advice)**