



**Sheriff Everett "E.C." Harris** has over 35 years of law enforcement experience. He has proudly served the citizens of Suffolk for the last

30 years, building strong relationships with law enforcement and municipal entities throughout the region and State. Sheriff Harris began his career as a Military Police Officer in the United States Army. After his honorable discharge, he was employed with the Chesapeake Bay Bridge Tunnel Police and then the Suffolk Police Department where he served as a patrolman and detective for over 17 years. After 10 years serving as Chief Investigator with the Suffolk Commonwealth's Attorney Office he was appointed Chief Deputy of the Suffolk Sheriff's Office. Sheriff Harris is very active in our community as a member of the Suffolk and McAlister Masonic Lodges, Suffolk Fraternal Order of Police, Virginia Sheriff's Association, Police Association of Virginia and the Suffolk Wellness Coalition. Sheriff Harris is an officer with the Suffolk Ruritan Club where he is very active in fundraising efforts that support the club's scholarship fund and veteran's appreciation efforts. He serves on the boards of the Suffolk Crime Line, Western Tidewater Regional Jail, Suffolk Public Schools Key Communicator and the Virginia State Bar's First District Disciplinary Committee. Sheriff Harris is committed to being engaged in the community, in order to make this city a better place to live.



**Our Mission:**

The Mission of the Suffolk Sheriff's Office is to provide quality services to the citizens of the City of Suffolk with integrity, compassion, and a commitment to justice. As dedicated professionals, we will ensure the peace and safety of all citizens, will uphold the Constitution of the United States and the Constitution of the Commonwealth of Virginia, will be responsive to the needs of the community, and will treat everyone with respect and fairness; free from self-interest, prejudice, or favoritism. Community relations and engagement will be the cornerstone of our organization, justice its foundation, and a commitment to excellence is to be the bulwark of our structure.

**E. C. HARRIS, SHERIFF**

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@Suffolk Virginia Sheriff's Office

**CITY OF SUFFOLK**  
**SHERIFF'S OFFICE**

**THE EVICTION PROCESS**



**SHERIFF**  
**E. C. HARRIS**  
**SINCE 2017**



### Step 1: Five (5) or Thirty (30) Day Notice

When a tenant's rent is in arrears, the landlord may give the tenant a **Five (5) Day Notice** to pay the amount due or risk an eviction. This is the most frequently utilized option. **A Thirty (30) Day Notice** is given to the tenant if there is no money involved and the tenant is being evicted for other reasons. The court does not prepare this notice; it is prepared by the landlord or their representative. The majorities of landlords serve this notice to the tenant either in person or by registered or certified mail. A copy of this letter and how it was delivered should always be kept by the landlord. The landlord may request the Sheriff's Office serve this notice on the tenant in which case this service shall be in accordance with the Rules for Service of Process on a Natural Person (VA Code 8.01-296). A copy of the notice should be served on all tenants involved, and the Sheriff's return placed on the original copy and mailed to the landlord or his attorney. (VA Code 8.01-296, 55-225) A \$12.00 service fee is required for each person to be served in the form of cash or certified check payable to the Suffolk Sheriff's office.

### Step 2:-Summons for Unlawful Detainer

After the five (5) or thirty (30) day period of notice has expired and the landlord has not received satisfaction, the landlord may obtain a Summons for Unlawful Detainer from the clerk of the court. This document is to inform the tenant that their retention of the property is unlawful. The clerk will issue a Summons for Unlawful Detainer against all persons named in the landlord's affidavit which shall be served on those persons at least 10-days before the court return date.

The Summons for Unlawful Detainer is an action taken *before* judgment by the court and directs the tenants to appear for a hearing. This process is used to cover any situation in which the possession of any house, land or tenement is unlawfully detained by the person(s) in possession thereof. (VA Code 8.01-124, 8.01-126 & 8.01-296) The judge will make the determination during this hearing as to whether a court ordered eviction is warranted.

### Step3:-Writ of Possession

When judgment has been awarded in favor of the landlord under a Summons of Unlawful Detainer, the landlord may then obtain a Writ of Possession from the court. The writ grants the Sheriff the authority to remove the tenant and the tenant's belongings from the premises and allow the landlord to regain possession of the property.. If the tenant fails to appear for this hearing the court may grant immediate possession to the landlord (VA CODE 8.01-129) this is referred to as *Judgment by Default*, however a minimum of 72 hours is still required to pass before the tenant can be lawfully evicted.

### Appeal from Unlawful Detainer Judgment

The tenant may appeal the ruling of the court for the unlawful detainer proceeding. For additional information contact the Clerk of the General District court at 757-514-4822.

### Eviction

When a Writ of Possession is received in the Sheriff's Office, an eviction is scheduled as soon as possible. The landlord or plaintiff will be called and informed of the date and time the eviction is to take place. **The plaintiff's address and telephone number must be printed on the writ. If the Sheriff's Office does not have a phone number to contact the plaintiff, the writ will be returned to the court.** The Sheriff's Office will provide the earliest date available for the eviction. The Suffolk Sheriff's Office receives Writ's Of Possession on a daily basis thus scheduling may take a few days or possibly a week to be set. Once set, evictions will not be rescheduled for any reason other than an emergency situation to be determined on a case by case basis by the Sheriff's Office. **Virginia code requires a 72 notice before tenants may be evicted.** The plaintiff may call the Sheriff's Office and cancel the eviction if the tenant moves out *after* the eviction notice is served.

At no time may the plaintiff interfere, cut-off or in any way change the utilities at the property until the eviction is executed by the Sheriff's Office or withdrawn by the plaintiff if the tenant has vacated the premises prior to the eviction and the eviction has been canceled by the Sheriff's Office.

On the date and time of the eviction the plaintiff or their representative must arrive on time and be prepared to change the locks to complete a "lock out" (the most preferred option by most plaintiffs as well as the Sheriff's Office) or have a group of employees large enough to expedite the removal of all property either to the public right of way or to a storage facility. **If the plaintiff fails to appear within 15 minutes of the scheduled eviction time and/or is not prepared to precede the Sheriff's Office will cancel the eviction. Only a "lock out" will be conducted during periods of inclement weather.**

### Removal of Property at the time of eviction

#### **Option A:**

If the landlord chooses to have the property removed from the premises, the landlord or their employees must place the property on the nearest right-of-way. **Everything** must be removed from the premises before possession will be given to the landlord.

**Any property remaining on the public right away after 24 hours is the responsibility of the plaintiff. The plaintiff should contact the City of Suffolk's Department of Public Works to obtain information on what may be collected by the city. Any property not collected by the city is the responsibility of the plaintiff and must be disposed of by the plaintiff.**

#### **Option B:**

The landlord has the option to have the property stored for 24-hour. If the landlord chooses this option the property must be stored in a secure and locked area; whether it is on the premises itself or at another location. No matter where it is stored the location must be secured. The tenant has up to 24-hours in which to retrieve their property however this must be accomplished during reasonable hours. After the 24-hours period has expired the landlord may dispose of any property as they see fit.

**Under the landlord tenant act the tenant's property can't be withheld during this 24-hour period due to monies owed for back payments.**

**Contact the Suffolk Sheriff's Office Civil Enforcement Division at 757-514-7840 with any questions pertaining to the eviction process.**