

LIMITED ACTIONS (EVICTION) INSTRUCTIONS

1. You will need a printed copy of your Notice to Vacate, a picture of the notice is not acceptable.
2. You will need to have all forms **COMPLETLEY** filled out **BEFORE** filing your case. Examples are located outside of the Limited Actions Department on the Basement level of the Courthouse and included in this packet.
3. Your case will first be heard in **DIVISION ONE LOCATED ON THE 3RD FLOOR-NORTH END OF THE HALLWAY.**
4. If you have any questions, contact the Limited Actions Department at 913-573-2811. Please note, the clerks **CANNOT** give legal advice.

ALL BLANK LINES AND SPACES ARE TO BE FILLED OUT BEFORE PROCEEDING TO COURT

Filing Fees

\$0.00 - \$500.00 = \$54.00
\$500.01 - \$5,000.00 = \$74.00
\$5,000.01 - \$25,000.00 = \$120.00

You may pay with cash, check, money order or credit/debit cards. ***Additional fees will apply when paying with a credit/debit card.*** Make check/money order payable to: **CLERK OF THE DISTRICT COURT.** Remember to put your phone number on your check.

Writ Fees

\$12.50 cash (must have exact change) or check/money order made out to **CLERK OF THE DISTRICT COURT**

\$15.00 Sheriff Fee cash (must have exact change), credit card or money order made out to **WYANDOTTE COUNTY SHERIFF**

LANDLORD/TENANT-UNLAWFUL DETAINER

These cases are typically brought by landlords against tenants after repeated attempts to collect rent or make reasonable accommodations have failed and tenant refuses to relinquish the property. Although these cases are based on the unlawful inhabitation of real property, the underlying dispute involves the contractual agreement between the landlord and tenant and, therefore, these cases should be classified in the contract category.

Similar terminology: eviction

LANDLORD/TENANT DISPUTE-OTHER

Cases of unknown specificity or cases not classified as unlawful detainer cases.

KANSAS EMERGENCY RENTAL ASSISTANCE PROGRAM:

[KERA-fact-sheet-landlordsV4.pdf \(kshousingcorp.org\)](https://www.kshousingcorp.org/KERA-fact-sheet-landlordsV4.pdf)

INSTRUCCIONES DE ACCIONES LIMITADAS (DESALOJO)

1. Necesita una copia de su Aviso de Desalojo, **no se acepta una foto del aviso.**
2. Debera tener todas las formas **COMPLETAMENTE** llenas **ANTES** de iniciar su caso. Los ejemplos se encuentran fuera del departamento de acciones limitadas en el sótano de la corte e incluido en este paquete.
3. Su caso será escuchado primero en la **DIVISION UNO UBICADO EN EL 3ER PISO-FINAL DEL PASILLO.**
4. Si tiene alguna pregunta, comuníquese con el Departamento de Acciones Limitadas al 913-73-2811. Tenga en cuenta que los empleados **NO PUEDEN** brindar asesoramiento legal

TODAS LA LINEAS EN BLANCO Y LOS ESPACIOS DEBEN LLENARSE ANTES DE PROCEDER A LA CORTE

Costo de Presentación

\$0.00 - \$500.00 = \$54.00
\$500.01 - \$5,000.00 = \$74.00
\$5,000.01 - \$25,000.00 = \$120.00

Puede pagar en efectivo, chequen orden de pago o tarjetas de crédito/debito. ***Se aplicarán costos adicionales al pagar con tarjeta de crédito/debito.*** Haga el cheque/giro postal pagadero a: **CLERK OF THE DISTRICT COURT.** Recuerde poner su número de teléfono en su cheque.

Costo de Escritura

\$12.50 en efectivo (debe tener cambio exacto) o cheque/giro postal a nombre **CLERK OF THE DISTRICT COURT**

\$15.00 Costo del Sheriff (debe tener cambio exacto), tarjeta de crédito o giro postal a nombre de **WYANDOTTE COUNTY SHERIFF**

ARRENDADOR/INQUILINO – DETENIENDO ILEGAL

Estos casos suelen ser presentados por los propietarios contra los inquilinos después de que los intentos repetidos de cobrar el alquiler o realizar adaptaciones razonables hayan fallado y el inquilino se niegue a ceder la propiedad. Estos casos se basan en la ocupación ilegal de un inmueble, la disputa subyacente involucra el acuerdo contractual entre el propietario y el inquilino y, por lo tanto, estos casos deben clasificarse en la categoría de contrato. Terminología similar: desalojo

CONTROVERSIA PROPIETARIO/ INQUILINO - OTRO

Casos de especificidad desconocida o casos no clasificados como casos de detención ilegal.

KANSAS EMERGENCY RENTAL ASSISTANCE PROGRAM:

[KERA-fact-sheet-landlordsV4.pdf \(kshousingcorp.org\)](https://www.kshousingcorp.org/KERA-fact-sheet-landlordsV4.pdf)

LINKS TO FORMS AND LEGAL ASSISTANCE:

- Kansas Judicial Council Eviction Forms:
<https://www.kansasjudicialcouncil.org/legal-forms/civil-actions/chapter-61/evictions>
- KU School of Law Wheat Library Landlord & Tenant Forms:
<https://guides.law.ku.edu/KSlegalforms/landlordtenant> · Kansas Emergency Rental Assistance Program: <https://kshousingcorp.org/emergency-rental-assistance/>
- Kansas Legal Services Tenant Handbook:
<https://www.kansaslegalservices.org/node/2044/kansas-tenant-handbook-and-guide>
- Kansas Legal Services Landlord Handbook:
<https://www.kansaslegalservices.org/node/275/landlord-handbook-and-rights-responsibilities>
- Kansas Residential Landlord and Tenant Act (K.S.A. 58-2540 through 58-2599):
https://www.ksrevisor.org/statutes/chapters/ch58/058_025_0040.html
- Access to Justice Advice Line (run by Kansas Legal Services): 1-800-675-5860
(ATJ advice line provides free brief advice to court patrons whose incomes are at or below 400% of the federal poverty level.)
- KANask-a-Lawyer: 1-800-928-3111 (KANask-a-Lawyer program connects people with an attorney who can offer immediate legal advice for a modest per minute fee.)
- Kansas Lawyer Referral Service: 1-800-928-3111 (Lawyer referral program connects people to attorneys with experience in a particular area of law.)

*You may draw up your own answer or you may use the Eviction Answer Packet located at the Self Help Center (3rd Floor) or on our website www.wycodistrictcourt.org. Go to “Departments”, then “Self Help”, then “Forms” on the left side and it will be filed under ‘E’ for Eviction Answer.

You will need to

COMPLETELY

fill out all of the forms

to file your case.

Debera tener todas las formas

COMPLETAMENTE

Para presentar su caso.

Self-Represented Litigant Certification Form

By signing this form, I certify that, to the best of my knowledge, information, and belief, and based on my reasonable review of the document's contents, the attached filing complies with the certification requirements in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant as follows:

- (a) I have signed the attached filing and provided my name, address, email address (if available), telephone number, and fax number (if available); and
- (b) The attached filing contains no personally identifiable information (PII) or meets an exception in the Temporary Rule for Filing in a District Court by a Self-Represented Litigant because the filing (check box that applies):

contains no PII (if this box is checked, do not check any other boxes); or

requests that this document be sealed under the Temporary Rule for Filing in a District Court by a Self-Represented Litigant for the following reason (check box that applies):

a pre-existing order was entered by the court on _____ that seals this document;

this document asks the court to issue an order that seals the following document: [include general description of document contents without including PII.]

_____ ; or

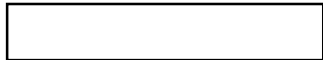
this document asks the court to seal the following document already filed in the case: [describe the document already on file so that the clerk can identify it without using PII]

_____.

Date: _____

Signature: _____

Name of Party: _____



For Office Use Only

CIVIL COVER SHEET

The civil cover sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the civil docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

NATURE OF SUIT (Mark only one - If the case involves more than one of the following categories, indicate the category having the highest dollar value.)

CIVIL If a CH. 61: \$ _____ (Judgment Demand Amount)

- | | | | |
|---|---|---|--|
| <p>TORT</p> <input type="checkbox"/> Asbestos Product Liability <input type="checkbox"/> Automobile Tort <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Legal Malpractice <input type="checkbox"/> Medical Malpractice <input type="checkbox"/> Other Professional Malpractice <input type="checkbox"/> Premises Liability <input type="checkbox"/> Slander/Libel/Defamation <input type="checkbox"/> Tobacco Product Liability <input type="checkbox"/> Toxic/Other Product Liability <input type="checkbox"/> Other Tort | <p>CONTRACT</p> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Employment Dispute - Discrimination <input type="checkbox"/> Employment Dispute - Other <input type="checkbox"/> Fraud <input type="checkbox"/> Landlord/Tenant - Forcible Detainer <input type="checkbox"/> Landlord/Tenant Dispute - Other <input type="checkbox"/> Seller Plaintiff (debt collection) <input type="checkbox"/> Other Contract <p>CIVIL APPEALS</p> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Other Civil Appeal <input type="checkbox"/> Tax Appeal | <p>REAL PROPERTY</p> <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Mortgage Foreclosure <input type="checkbox"/> Other Real Property <input type="checkbox"/> Tax Foreclosure <p>MISCELLANEOUS</p> <input type="checkbox"/> 60-1507 <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Other Writs <input type="checkbox"/> Name Change <input type="checkbox"/> Post Judgment Elevation LM to CV <input type="checkbox"/> Transfer Pre-Judgment LM to CV | <input type="checkbox"/> STATE TAX WARRANT <input type="checkbox"/> OTHER CIVIL <input type="checkbox"/> SMALL CLAIMS |
|---|---|---|--|

- DOMESTIC**
- | | | | |
|--|--|--|---------------------------------------|
| <input type="checkbox"/> MARRIAGE DISSOLUTION/DIVORCE | <input type="checkbox"/> PROTECTION FROM ABUSE | <input type="checkbox"/> PROTECTION FROM STALKING | <input type="checkbox"/> UIFSA |
| <input type="checkbox"/> OTHER DOMESTIC RELATIONS | <input type="checkbox"/> NON-DIVORCE SUPPORT, CUSTODY OR VISITATION | <input type="checkbox"/> PATERNITY | |
- DOMESTIC FOREIGN JUDGMENT (OUT OF COUNTY)**

- PROBATE/ESTATE**
- | | | |
|---|---|--|
| <p>GUARDIAN/CONSERVATOR</p> <input type="checkbox"/> Conservatorship/Trusteeship <input type="checkbox"/> Guardianship - Adult <input type="checkbox"/> Guardianship - Minor <input type="checkbox"/> Guardian/Conservator - Adult <input type="checkbox"/> Guardian/Conservator - Minor <p>PROBATE RECORDS</p> <input type="checkbox"/> Probate Record - Other County <input type="checkbox"/> Probate Record - Other State | <input type="checkbox"/> DETERMINATION OF DESCENT <input type="checkbox"/> SEXUALLY VIOLENT PREDATOR <input type="checkbox"/> DECEDENT ESTATE <input type="checkbox"/> REFUSAL TO GRANT LETTERS <input type="checkbox"/> FILING WILL AND AFFIDAVIT <input type="checkbox"/> OTHER PROBATE/ESTATE | <input type="checkbox"/> ADOPTION <input type="checkbox"/> FOREIGN ADOPTION <input type="checkbox"/> CARE AND TREATMENT <input type="checkbox"/> TERMINATION OF JOINT TENANCY <input type="checkbox"/> TERMINATION OF LIFE ESTATE |
|---|---|--|

JURY DEMAND YES (Check yes only if jury demand is included in petition or as a separate pleading)
 NO

SUMMONS ATTACHED: YES NO **SHERIFF'S PROCESS FEE ATTACHED** YES NO

SERVICE BY: PROCESS SERVER/ATTORNEY
 SHERIFF IN STATE _____ (County)
 SHERIFF OUT OF STATE _____ (State)

PLAINTIFF/SUBJECT INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

DEFENDANT/OTHER PARTY INFORMATION

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

NAME: _____

ADDRESS: _____

PHONE: _____ SEX: _____

CELL PHONE: _____

E-MAIL: _____

SSN: _____ DOB: _____

DL OR STATE ID NO: _____
State and Number

ALIAS NAMES USED: _____

ATTORNEYS

(Firm Name, Address, Telephone Number and Supreme Court ID Number)

FOR DOMESTIC CASES - NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF EACH DEPENDENT CHILD:

(Name)

(Date of Birth)

(Social Security Number)

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

The requirement that Social Security numbers be included on domestic cases is mandatory, and authorized by the Supreme Court and federal law. On non-domestic cases, the Social Security number is not mandatory. The number is used for purposes of identification and may be disclosed as permitted by law. This form is not considered to be a public record.

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT

Plaintiff

Defendant

Name

Name

Address

Address

City,State,Zip

City,State,Zip

Phone Number

Case No. _____

PETITION & COMPLAINT-PEACEABLE ENTRY AND FORCIBLE DETAINER

PURSUANT TO K.S.A. CHAPTER 61

Comes now the plaintiff above named and for its cause of action states that the defendant(s) above named entered the premises described in the caption of this petition as tenants of the plaintiff under an agreement to pay rent for said premises.

Plaintiff further states that the defendant(s) have defaulted in the payment of such rent in the sum of \$ _____, and other charges in the sum of \$ _____; that, though served with a notice as required by law terminating such tenancy and that an action would be brought for possession of such premises, the defendant(s) have failed, refused and neglected to pay such rent and charges and to vacate said premises.

WHEREFORE, plaintiff prays judgment for possession of the premises described in the caption of this petition and \$ _____, together with the costs of this action.

Attorney/Plaintiff Signature

SUMMONS

TO THE ABOVE-NAMED DEFENDANT(S)

You are hereby notified that an action commenced against you will be on this court's docket at ____ : ____ a.m., on the ____ day of _____, 20 ____ . **REPORT TO DIVISION ONE, 3RD FLOOR.**

Should you either fail to appear before this court, personally or by counsel, at said time, or prior to said time file with this court, a pleading in response to the petition which is herewith served upon you, judgment by default will be taken against you for the relief demanded in the petition. Eviction answers can be found at www.wycodistrictcourt.org. Any pleadings filed with this court must also be served on the plaintiff or their attorney, whose name and address are shown in above petition prior to the above time should you fail to appear at such time, and your responsive pleadings may state as a counterclaim any related claim which you may have against the plaintiff.

TO THE PROCESS SERVER OF WYANDOTTE COUNTY, KANSAS

This summons must be served, and your return of service made promptly; in the event, your return is due no later than 3 days before the date stated in the summons for the defendant to either appear or plead to the petition.

Dated _____

By _____
Deputy Clerk of District Court

I, _____ (Plaintiff), hereby swear that, to the best of my knowledge and belief, the forgoing claim asserted against the Defendant is a just and true statement, exclusive of any valid claim or defense which the Defendant may have.

Plaintiff

Subscribed and sworn to before me on this ____ day of _____, 20 ____ .

My Commission Expires:

Clerk/Notary Public

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT

Plaintiff

Name

Address

Case No: _____

VS

Defendant(s)

Name

Address

REQUEST FOR SERVICE

I request the Sheriff/Court Process Server of Wyandotte County, Kansas, serve

_____ by personal/residential service.

Dated: _____

X _____
Signature of Plaintiff

Name (Print): _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

How to fill out the last three pages/Como llenar las ultimas 3 paginas

Plaintiff

Your Name/Su Nombre

Name

Your Address/Su direccion

Address

Case No.: **Your Case Number/Numero de Caso**

VS

Defendant(s)

Tenants Name/Nombre del inquilino

Name

Tenants Address/Direccion del inquilino

Address

JUDGMENT FORM

On this _____ day of _____, 20____, judgment is entered as follows:

PLEASE FILL OUT WHAT YOU ARE ASKING FOR- RENT AMOUNT DAMAGES, POSSESSION OF PROPERTY, ETC

POR FAVOR COMPLETE LO QUE ESTA SOLICITANDO POR: CANTIDAD DE RENTA, DAÑOS, POSESION DE PROPIEDAD, ETC.

PRAECIPE

TO THE CLERK:

ISSUE Writ of Restitution & Execution in the above entitled cause, returnable according to law and direct the same to the sheriff of Wyandotte County, Kansas to or for the defendant(s)

NAME AND ADDRESS OF TENANT

NOMBRE Y DIRECCION DEL INQUILINO

WRIT OF RESTITUTION AND EXECUTION

To the Sheriff or other Process Server:

WHEREAS, on the **Day/Dia** day of **Month/Mes**, 20**Year/Año**, in an action pending in this court, **Your Name/Su Nombre**, plaintiff, recovered judgment against, **Tenant's Name/Nombre del inquilino** defendant, for restitution Of the following described premises, to wit: **Tenant's Address/Direccion del inquilino**, for court costs, actual and estimated, in the sum of \$**Dollar Amount/Cantidad**, and for rent in the sum of \$**Dollar Amount/Cantidad**.

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT

Plaintiff

Name

Address

Case No.: _____

VS

Defendant(s)

Name

Address

JUDGMENT FORM

On this _____ day of _____, 20____, judgment is entered as follows:

Judge

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT

Plaintiff

Name

Address

Case No. _____

VS

Defendant(s)

Name

Address

PRAECIPE

TO THE CLERK:

ISSUE Writ of Restitution & Execution in the above-entitled cause, returnable according to law and direct the same to the sheriff of Wyandotte County, Kansas to or for the defendant(s)

I REQUEST PERSONAL/RESIDENTIAL SERVICE

X _____
Signature of Plaintiff/Attorney

Name (Print): _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Email: _____

Date issued: _____

By: _____, Deputy

IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT

Plaintiff

Name

Phone Number

VS

Case No. _____

Defendant(s)

Name

Address

Pursuant to Chapter 61 of Kansas Statutes Annotated

WRIT OF RESTITUTION AND EXECUTION

To the Sheriff or other Process Server:

WHEREAS, on the ____ day of _____, 20__, in an action pending in this court, _____, plaintiff, recovered judgment against, _____ defendant, for restitution of the following described premises, to wit: _____, for court costs, actual and estimated, in the sum of \$ _____, and for rent in the sum of \$ _____.

You are hereby commanded to cause such defendant to be forthwith removed from such premises and the plaintiff to be restored to possession of the same and that of the non-exempt personal property of such judgment debtor, _____, you cause judgment and costs, together with your fees for execution of this writ, to be satisfied as provided by law.

You shall execute that portion of this writ requiring you to restore the plaintiff to the possession of such premises within 14 days, and make return of this execution, showing the manner in which, you have executed the same, within 60 days from the date hereof.

By _____
Judge of the District Court

Dated _____