

FULTON COUNTY MARSHAL'S DEPARTMENT

Fact Sheet: Steps in the Eviction Process in Fulton County

- Step 1. The landlord or agent files a Dispossessory Proceeding Against Tenant Holding Over in the Fulton County Clerk's Office.
Note: The address on the dispossessory must be the address that is to be evicted.
- Step 2. The dispossessory is properly served.
Note: The dispossessory cannot be served unless the premises in question and the dispossessory are properly marked with the correct and complete street address including the suite, apartment or room number, direction, zip code, etc. Any changes that are made on the dispossessory must be made by the landlord or agent.
- Step 3. Court appearance.
Note: Required only if the defendant files an answer; tenant has seven days to answer.
- Step 4. The landlord, or agent, applies for a Writ of Possession.
Note: Application may be made after the expiration of the seven day answer period when no answer is filed by the defendant or after expiration of the time specified by the judge on a court appearance.
- Step 5. The Writ of Possession is processed by the Clerk's Office and then sent to the Marshal's Department for execution.
- Step 6. The landlord, or agent, hires an eviction company to perform the labor or prepares to provide some other source of labor for the eviction.
Note: EVICTION COMPANIES ARE LISTED IN THE BELLSOUTH YELLOW PAGES AND BUSINESS DIRECTORY. Five (5) or more able bodied people are usually required to perfect an eviction in an efficient and timely manner.
- Step 7. A deputy marshal contacts the landlord, or agent, and schedules the eviction. The landlord, or agent, advises the deputy of the name of the labor source that will be used for the Eviction.
Note: The Writs are usually handled in the order of receipt. If the tenant moves out or pays prior to the actual eviction, the landlord or agent should notify the deputy as soon as possible.
- Step 8. The deputies, eviction crew, landlord or agent arrive at the specified time to execute the eviction writ.
Note: The eviction deputies must make the initial entry of the premises to be evicted.
- Step 9. Ensure all the defendant's property has made it out of the residence by performing a walk through at the end of the eviction.