



City and County of Denver Department of Safety

Sheriff | Police | Fire | 911 | Safe City
Community Corrections | Crime Prevention & Control

Informational Guide Concerning Writs of Restitution

The following is not intended to provide legal advice concerning Writs of Restitution or the applicable laws governing the same. Rather, this information is being provided as an informational guide concerning tenant evictions and the role of the Denver Sheriff Department. You are responsible for conducting your own legal research or contacting an attorney to obtain legal advice prior to proceeding with any legal action. Denver Sheriff Department employees are prohibited from giving legal advice but will otherwise make every effort to provide information concerning the sheriff department's role in the eviction process.

Issuance of the Writ of Restitution

Once a Writ of Restitution has been obtained from Denver County or Denver District Court, it must be brought to the Denver Sheriff Department Civil Unit located at 201 West Colfax Avenue, Denver, CO. 80204. The Writ is an order which specifically requires the Denver Sheriff to remove the tenant and restore possession of the property to the landlord.

Posting of Notice

After payment of the applicable fee, a deputy will post the Eviction Scheduled Notice at the property and attempt to personally contact the tenant. Prior to posting the Eviction Scheduled Notice, the assigned deputy will contact you at the phone number you provided to schedule the eviction. The specific eviction date will be scheduled by the deputy who is responsible for posting the Notice. The date and time will be selected based upon the mutual convenience of the landlord and deputy but will need to be completed between sunrise and sunset per Colorado law. At the time the deputy contacts you to schedule the eviction, please make the deputy aware of any potential dangers, including any potential hazardous materials on the premises or any known drug or gang activity in the area.

Cancelling Scheduled Eviction

Sometimes, simply posting the Eviction Scheduled Notice will cause the tenant to move out prior to the eviction date. If the tenant moves out prior to the scheduled eviction date, you must cancel the scheduled

Denver Sheriff Department | Civil Division
201 W. Colfax Avenue, Denver, CO 80202
Phone: 720-865-9556
Fax: 720-865-9590



eviction by calling the assigned deputy by 4:00 p.m. the business day (not including Saturday or Sundays) prior to the scheduled eviction or your service fees will be forfeited. If the scheduled eviction date falls on a Monday or the day after a holiday, you must contact the deputy by 4:00 p.m. on the business day prior to the eviction (not including Saturday or Sunday) to avoid forfeiture of your service fees.

Eviction Process

The Denver Sheriff Department reserves the right to reschedule any eviction for any unforeseen circumstances or good cause. The landlord or his/her representative *must* be present for the eviction to take responsibility for and possession of the premises. Any representative sent in place of the landlord must have full authority to act on the landlord's behalf. The eviction will be cancelled if the landlord or fully authorized representative is not present for the eviction, or if there are insufficient resources to remove and contain the property left at the property as described below. If the eviction process is cancelled due to the failure to comply with the eviction process you will need to contact the assigned deputy to reschedule the eviction within the 49-day period during which the Writ of Restitution is valid. **Please note, if the eviction is canceled for a second time, it will not be rescheduled, and the service fees will be forfeited.** Additionally, if the eviction is cancelled and the landlord fails to contact the deputy to get the eviction rescheduled within the 49-day period during which the Writ of Restitution is valid, service fees will be forfeited.

Entry into Property

Do not enter the premises or remove any property until the deputy has arrived and given permission to enter.

The entry, removal, and placement of items will be under the direction of the deputy who will stand by while the premises is cleared. Failure to follow direction may cause the deputy to withdraw from the eviction.

Movement and disposition of property

All the tenant's belongings must be removed from the property within two hours at the landlord's expense, using reasonable care. A landlord who complies with the lawful direction of the sheriff deputy responsible for executing the writ is immune from civil and criminal liability.

The landlord is responsible for paying for and providing a sufficient number of movers to ensure that the eviction is completed within two hours. An average one-bedroom apartment will require approximately four movers, although upper level apartments may require additional assistance. Approximately six movers may be required for a two-bedroom dwelling and 10 to 14 movers may be necessary for a four- to five-bedroom dwelling. Businesses may require additional assistance. Certain locations may also require the landlord to obtain a roll-off dumpster to facilitate removal of property so that it does not infringe upon the public right-of-way. **If the deputy determines that there are not enough resources to complete the eviction within two hours, the eviction will be cancelled.** Therefore, we recommend that you consult with the assigned deputy prior to the scheduled eviction to avoid last minute problems.



If you are not using a commercial moving company, please note that heavy-duty trash bags and boxes will be needed, especially for kitchens, bathrooms and garages. Additionally, since the landlord or his/her representative is responsible for facilitating entry into the premises, it may also be necessary to have a locksmith present, both for the initial entry and to re-key the locks to prevent the tenant from attempting to reenter the premises once the eviction is completed. Additional tools and equipment may also be needed to assist with dismantling or moving heavy items, including motor vehicles.

Abandoned animals

Animals abandoned on the premises will be impounded.

Hazards to the public

Any property left at the premises that is deemed to be a hazard to the public (e.g., firearms or illegal drugs) will be impounded. Other materials deemed to be hazardous by the deputy will be required to be left at the premises for proper disposal by the landlord. Each situation will be evaluated by the deputy based upon the amount of hazardous material and the impact on the public.

Businesses with confidential, personal information

For any business which has documents, files, computers or other tangible items that contain or reveal confidential, personal or other information concerning any client or employee of the business that may result in or lead to possible personal identity theft issues, such information will not be allowed to be taken outside the building as part of the eviction process. Rather, the landlord will be asked to ensure that the items are properly stored and disposed of if not claimed after a reasonable amount of time. As a guideline, 48 hours is generally considered to be a reasonable amount of time.

Duty to Store Personal Property – A landlord has no duty to store or maintain the personal property removed from the premises. Please consult Colorado law and/or an attorney for legal advice if you elect to store a tenant's personal property that was removed from the premises during an eviction.