# General Eviction Process Chart

## General Eviction Process

The tenant receive written notice of breach of lease (i.e. 5-day notice to quit or cure or 14-day notice to vacate) or notice of termination of tenancy (i.e. 28-day notice)

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The notice period ends without the tenant curing the breach or vacating the apartment

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Landlord files a Summons and Complaint with the court

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Summons and Complaint is served on the tenant by sheriff department or other process server

⬇

Matter is set for a Return Date, as stated in Summons and Complaint

⬇

Tenant shows up to the Return Date and disputes the eviction

Tenant does not show up or does not dispute the eviction

⬇

Matter is set for trial.
(note: check for local rule for timeframe when trial is set.)

Court grants landlord Judgment of Eviction and Writ of Restitution

⬇

Tenant proves their defense, and the Court dismisses the eviction

Tenant does not prove their defense, and Court grants landlord Judgment of Eviction and Writ of Restitution

Writ of Restitution is served on tenant by Sheriff Department – tenant MUST leave apartment

⬇

Writ of Restitution is served on tenant by Sheriff Department – tenant MUST leave apartment

Prepared by Attorney Vanessa A. Kuettel, staff attorney with Legal Action of Wisconsin, Inc.

Extension
UNIVERSITY OF WISCONSIN–MADISON