

# Eviction Information Summary

**LANDLORDS** - An eviction (forcible entry and detainer) action is a civil case, not a small claims case. Therefore, you will be required to follow Ohio statutes, the Ohio Rules of Evidence, and when applicable, the Ohio Rules of Civil Procedure, in the filing and presentation of your case.

Ohio law requires that certain notice be given to tenants prior to the filing of an eviction action in order for the municipal court to obtain subject matter jurisdiction over the case. The type of notice that is required by law depends on the facts of your case and may vary depending on the circumstances, and/or the content of the rental contract/lease agreement.

The court staff is not permitted to give you legal advice. It is your responsibility to make sure you file and litigate your case correctly.

Remember, the trial on your eviction action is a civil proceeding. The court will only hear evidence that is admissible under the rules of court. In addition, certain entities (for example, trusts) are not permitted to appear in court by an authorized representative, but must be represented by an attorney. Further, certain entities that may appear in court by an authorized representative will not be permitted to engage in advocacy, cross examine witnesses, or make arguments of law, as only a licensed attorney may practice law.

**TENANTS** - An eviction (forcible entry and detainer) action is a civil case, not a small claims case. Therefore, you will be required to follow Ohio statutes, the Ohio Rules of Evidence, and when applicable, the Ohio Rules of Civil Procedure, in the presentation of your defense. Ohio law does not require that you file an answer to the landlord's claim for possession of premises (unlike a general civil case, you may present your defense to an eviction by appearing for and testifying at trial), but the landlord may obtain a default or summary judgment against you if you do not file an answer to a landlord's claim for money damages.

The court staff is not permitted to give you legal advice. It is your responsibility to make sure you present your defense correctly.

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**THE COURT NO LONGER PROVIDES SAMPLE FORMS TO USE IN EVICTION ACTIONS, AS THOSE SAMPLE FORMS WERE BEING RELIED ON AND USED INCORRECTLY BY PERSONS WHO CHOSE NOT TO SEEK LEGAL ADVICE.**

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COURT EMPLOYEES ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE.

If you have any questions, you should consult an attorney.  
Two online resources that you may find helpful are listed below:

*<https://www.ohiolegalhelp.org>*

*[supremecourt.ohio.gov/courts/services-to-courts/court-services/access-to-justice-resources/](https://supremecourt.ohio.gov/courts/services-to-courts/court-services/access-to-justice-resources/)*