**Execution of a Writ of Restitution – Informational Sheet**

A writ of execution is a legal document issued by a court after a judgment has been entered.

The landlord or the landlord’s attorney must provide the Montrose County Sheriff’s Office (MCSO) with a copy of the Writ of Restitution. In accordance with Section 13-40-122, a Writ of Restitution cannot be executed until 48 hours have passed from the court’s entry of judgment.

Once the Writ of Restitution is received, a date and time for execution will be scheduled based on MCSO’s staffing availability and workload (please note that evictions are not scheduled on Fridays, weekends, or holidays). MCSO will prepare a Notice of Writ of Restitution (see attached example) to inform the tenant that the writ will be executed in the near future. **Do not share the specific date and time with the tenant** for the safety of all parties involved. MCSO will make reasonable efforts to personally serve the tenant or post the notice on the door of the residence at least 48 hours before executing the writ.

At the scheduled date and time, an MCSO deputy will be present to ensure the peaceful removal of the tenant and the tenant’s personal belongings. However, it is MCSO’s policy that the physical removal and storage of the tenant’s property is the responsibility of the landlord. If you have concerns about your responsibilities regarding the storage of tenant property, please consult your attorney.

Landlords are expected to provide a sufficient number of movers to remove the tenant’s belongings. The move should not take more than two hours. If an adequate number of movers is not present, the eviction will be rescheduled until enough help is available.

A Writ of Restitution will not be canceled unless MCSO receives proper notification from the landlord or the landlord’s attorney. If the landlord grants the tenant additional time to remove personal property after the writ has been executed by MCSO deputies, the Sheriff’s Office will consider the writ fully executed. If the tenant does not vacate the residence as agreed, the landlord must initiate the eviction process again through the court.

If the Writ of Restitution involves the removal of a mobile home from a mobile home park, it will be executed in accordance with Section 38-12-208, C.R.S. The cancellation requirements for mobile home removals are the same as those for tenants in rental residences. June, 2025