

# Kimball, Tirey & St. John LLP

## Legal Alert

### Orange County Lockout Delays

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Beginning in November 2018, the Orange County Sheriff's Department began requiring four (4) uniformed deputies to be present for each eviction lockout. While the reason for this change in policy is unknown, we are being advised that there will be delays of approximately 6-8 weeks for lockouts in cases filed in Harbor (Newport Beach) Justice Center and 8-10 weeks for cases filed in the North (Fullerton) and Central (Santa Ana) Justice Centers.

However, the actual lockout notice posted on a tenant's door remains unaffected by this change. The lockout notice is typically being posted in 2 to 4 business days after the sheriff receives the lockout paperwork from our office. The lockout notice advises the tenant a lockout is happening in 5-6 days from the posted notice, but in fact, the actual lockout will take place many weeks later and tenants are generally not aware of the delay.

One option for landlords to mitigate the delay is to check with the tenant about a week after the lockout notice is posted to see if the tenant has vacated. Often times, tenants will vacate just before they think the sheriff will come to perform the lockout. If the tenant advises you they are out of possession and the unit is vacant or nearly vacant, you are free to retake possession of the unit. If you are unsure of your particular situation, feel free to contact our office to discuss your options.

Kimball, Tirey & St. John LLP is actively working with the courts and Sheriff's Department to speed up the lockouts. We will send out an update when we have more information on this issue.

*Please feel free to contact our Irvine office at (800) 564-6611 with any questions.*

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