

# **Law Office of Jonathan D. Petersen**

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## **Calling out the Sheriff, Obtaining a Money Judgment and Collections**

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Licensed in Indiana, Illinois

### ***Calling out the Sheriff***

Once my office obtains for you an Order of Possession from the Court, we will transmit to you a copy of the order as well as a letter from the Law Office of Jonathan Petersen containing a written explanation of the actual eviction process. If you do not receive this letter or misplace it, please call (219) 803-4550.

**IMPORTANT:** Please be aware that you must schedule the physical eviction with an officer of the Court and you must arrange to have a work crew available to open the locks and remove the tenant's personal property from your rental unit. Refer to the Law Office letter for additional instructions.

### ***Obtaining a Money Judgment***

After the tenant has been removed from the property, you may be entitled to a money judgment if you have incurred damages. Damages could consist of unpaid rent, physical injury to the rental unit, attorney fees and/or collection costs, *etc.* Should you have any questions regarding your damages, please call.

The letter you receive from the Law Office (*see above*) contains important instructions regarding how you should document your damages. Please refer to it.

Finally, you must complete and return to the Law Office the Affidavit for Damages and Non-Military Service.

### ***Collections***

My office also provides collection services for our clients. If you would like to pursue collection, please call the office before we obtain the money judgment for you. Certain collection costs may be included in and recoverable as a part of your money judgment.

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We also provide lease and rental forms to landlords including our updated Model Lease for Indiana, tenant application and security deposit letter (required by statute). Visit [www.attorneypetersen.com](http://www.attorneypetersen.com) and click on Document Center.

Effective Date: 1/11/2017

State of Indiana )  
 ) ss  
County of Lake )

\_\_\_\_\_, )  
Plaintiff )  
vs. ) Cause No.:  
 )  
 )  
\_\_\_\_\_, )  
Defendant )

**AFFIDAVIT FOR DAMAGES AND NON-MILITARY SERVICE**

Comes now the undersigned, and being first duly sworn and put upon his or her oath, now swears and affirms under the penalties for perjury as follows:

1) The Defendant owes the following amounts to Plaintiff:

a) Past due rent in the following amount: \$ \_\_\_\_\_

b) Damages to the demised premises: \$ \_\_\_\_\_

c) Plaintiff has paid and the written lease allows \$ \_\_\_\_\_  
the plaintiff to recover attorney fees and/or  
collection costs. See paragraph \_\_\_\_\_ on  
page \_\_\_\_\_.

**OR** There is no written lease or the written  
lease does not allow attorney fees or collection  
costs. (*Strike what does not apply*)

**SUBTOTAL OF PLAINTIFF'S DAMAGES** \$ \_\_\_\_\_  
(Rent + Damages + Attorney fees if allowed by lease)

d) Security deposit possessed by Plaintiff: (\$ \_\_\_\_\_)

**TOTAL OWED TO PLAINTIFF** \$ \_\_\_\_\_  
(Subtract Security Deposit from Subtotal of Plaintiff's Damages)

2) The affiant is the Plaintiff or was employed with or by the Plaintiff.

**THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

3) In such capacity, the affiant is familiar with the Plaintiff's file concerning the Defendant(s), including the premises and the matters dealt with therein and that the facts stated herein are true.

4) Defendant is not an infant or incompetent.

5) If the defendant(s) is/are an individual, plaintiff states and declares that:

Defendant(s) is/are not on active military service. Plaintiff's statement that Defendant(s) is/are not on active military service is based upon the following facts:

\_\_\_\_\_  
\_\_\_\_\_

OR

Plaintiff is unable to determine whether or not Defendant(s) is/are not on active military service military service. ("Active military service" includes fulltime duty in the military (including the National Guard and reserves) and, for members of the National Guard, service under a call to active service authorized by the President or Secretary of Defense)

Further sayeth the affiant naught.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT

Signature:\_\_\_\_\_

Date:\_\_\_\_\_

Name Printed:\_\_\_\_\_

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