

NEC PROPERTY MANAGEMENT

EVICITION LAYOUT PROCESS

From time-to-time life happens, which in property management can mean quite a few things, especially when it comes to non-payment of rent for the month. While we at NEC Property Management understand that things can happen (loss of a job, medical issues, divorce, etc), the rent is still due. If the situation should happen to arise when rental payments have not been made our team has outlined a process to either recover the rent that is due or follow through with the eviction process.

Below is a breakdown of the eviction process should we have to proceed with going that route at any point during a lease agreement:

Rent Due on the 1st of Each Month	On Time Payments Received
Rent is Considered Late of 4th of Each Month	Texas law mandates a 3 day grace period until rent can be considered late.
Breach of Lease Agreement	When it is made known that the rent has not been received our team will send out a breach of lease agreement to the resident to inform them of non-compliance. Corrective actions are laid out with a timeframe to take those actions in. If we do not receive payments by the time allotted, then the 3 Day Notice to Vacate will be sent out to the residents.
3 Day Notice	The 3 Day Notice is sent out in order to demand one of the following: <ul style="list-style-type: none">- Remit payment that is due.- Vacate the property.
Vacancy Check	If by the time the 3 Day Notice has expired, and rent has not been received then our team will perform a vacancy check to determine whether or not occupancy is still present. If it can be deemed that the home is not vacant, we will then request that our attorney files for a court hearing to gain possession and back due rent that is owed.

Court Date Hearing	<p>Once the filing for the court date has been made, the court proceedings will commence on the scheduled docket set by the court. On the appointed date, we will present a copy of the lease agreement in effect and a copy of the ledger showing outstanding balance due for non-payment of rent.</p>
Appearances in Court	<ul style="list-style-type: none"> • If the resident does not show for the court hearing a ruling of "Default" will be recorded with the court in favor of the Plaintiff (the owner in this circumstance) • If the resident does show for the court hearing, the resident will have the opportunity to state their facts to the judge for consideration. • Once both parties have made their case, the judge will then make a ruling based on the facts presented to the court. At the time the judge makes the ruling on the case, the judge will then render a verdict. If possession is granted to the plaintiff (owner's behalf) then the ruling will provide a specific date for vacancy.
Writ of Possession	<p>If by the time the date that was handed down by the court to vacate the property has passed and residents are still residing in the home, the next step is to file for a Writ of Possession. This will be filed by our attorney in order to have the residents and their personal items forcibly (if need be) removed from the home. All belongings left in the property will be left by the curb/end of driveway for a maximum of 24 hours (per the law), once that timeframe has lapsed then all remaining items will be hauled off as well.</p>
Rekeying the Property	<p>At the time of the Writ of Possession the home will also be rekeyed to ensure only our team has control of the property and the previous residents cannot regain access to the home.</p>