

§6005. Writ of possession; service

When the defendant is defaulted or fails to show sufficient cause, judgment must be rendered against the defendant by the District Court for possession of the premises. Seven calendar days after the judgment is entered, the court shall issue the writ of possession to remove the defendant. The writ may be served by a sheriff or a constable. If at least 3 good faith efforts on 3 different days have been made to serve the defendant, service may be accomplished by both mailing the notice by first-class mail to the defendant's last known address and leaving the writ of possession at the defendant's last and usual place of abode. A writ of possession may not issue in any case in which the ground for termination of the tenancy at will was rent arrearage and the defendant paid the amount necessary to reinstate the tenancy as provided by section 6002. [PL 1999, c. 248, §3 (AMD).]

An additional writ of possession may be issued by the clerk at the request of the plaintiff after issuance of the first writ. [PL 1989, c. 452, §2 (NEW).]

When a writ of possession has been served on the defendant by a constable or sheriff, and the defendant fails to remove himself or his possessions within 48 hours of service by the constable or sheriff, the defendant is deemed a trespasser without right and the defendant's goods and property are considered by law to be abandoned and subject to section 6013. [PL 1981, c. 428, §6 (NEW).]

SECTION HISTORY

PL 1979, c. 327, §1 (AMD). PL 1981, c. 428, §6 (AMD). PL 1989, c. 452, §2 (AMD). PL 1995, c. 208, §2 (AMD). PL 1997, c. 151, §2 (AMD). PL 1997, c. 336, §1 (AMD). PL 1997, c. 683, §A6 (AMD). PL 1999, c. 248, §3 (AMD).

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