

Rule 3.8.1

**WRIT OF EXECUTION ON MANUFACTURED HOME, MOBILE HOME, OR RECREATIONAL VEHICLE**

In order to file for a writ of execution on a manufactured home, mobile home, or recreational vehicle (referred to as home or vehicle), plaintiff must have received a judgment pursuant to division (B) of section 1923.11 of the Revised Code. In the event the judgment is older than five (5) years, plaintiff must revive the judgment before filing for a writ. The home or vehicle must be abandoned or otherwise left unoccupied for a period of three days following the entry of the judgment. Plaintiff must then provide to the titled owner of the home or vehicle a written notice to remove the home or vehicle from the manufactured home park within fourteen days from the date of the delivery of the notice.

Before requesting a writ of execution under division (B) of section 2923.13 of the Revised Code, the park operator shall conduct or cause to be conducted a search of the appropriate public records that relate to the home or vehicle, and make or cause to be made reasonably diligent inquiries, for the purpose of identifying any persons who have an outstanding right, title, or interest in the home or vehicle. If the search or inquiries reveal any person who has an outstanding right, title, or interest in the home or vehicle, the park operator shall list the name and last known address of each person with a right, title, or interest of that nature on its request for the writ of execution. The park operator also shall certify on the request that park operator provided the written notice required by this section. Plaintiff must provide the court with copies of written notices required by division (B) and (C) of section 2923.12 of the Revised Code. In addition, plaintiff is also required to provide a professional opinion appraisal on the home or vehicle along with a copy of the current certificate of title.

After the court issues a writ of execution described in division (B) of section 1923.13 of the Revised Code, the clerk of the court shall send by regular mail, to the last known address of the titled owner of the home or vehicle that is the subject of the writ and to the last known address of each other person who is listed on the writ as having any outstanding right, title, or interest in the home or vehicle, a written notice that the home or vehicle potentially may be sold, destroyed, or have its titled transferred under the circumstances described in division (B)(3) or (4) of section 1923.14 of the Revised Code.

After receiving the writ, the bailiff shall review the professional opinion appraisal to determine if the home or vehicle must be sold. In the event the appraisal is over \$3,000.00, the bailiff will need to obtain two additional appraisals to proceed to execution sale. Before the bailiff can proceed with an execution sale, plaintiff will be required to deposit \$400.00 to cover sale costs. If plaintiff fails to deposit the excess money, the bailiff will do a return when time has expired on the writ. The bailiff shall follow the rules prescribed in section 2329.13 et. seq. of the Revised Code in the advertising and conducting of all sales on execution. The bailiff shall distribute the proceeds from the sale in accordance with division (B) of section 1923.14 of the Revised Code. The court will confirm sale by entry and order the issuance of a clear certificate of title.