

## CHAPTER 566

## FORCIBLE ENTRY AND UNLAWFUL DETAINER

566.09 Judgment; fine; execution.

**566.09 JUDGMENT; FINE; EXECUTION.**

Subdivision 1. **General.** If the court or jury finds for the plaintiff, the court shall immediately enter judgment that the plaintiff have restitution of the premises and tax the costs for the plaintiff. The court shall issue execution in favor of the plaintiff for the costs and also immediately issue a writ of restitution. Except in actions brought under section 566.02 as required by section 609.5317, subdivision 1, upon a showing by the defendant that immediate restitution of the premises would work a substantial hardship upon the defendant or the defendant's family, the court shall stay the writ of restitution for a reasonable period, not to exceed seven days. If the court or jury finds for the defendant, the court shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor.

Subd. 2. **Real property; seizures.** If the court enters judgment for the plaintiff in an action brought under section 566.02 as required by section 609.5317, subdivision 1, the court may not stay issuance of the writ of restitution unless the court makes written findings specifying the extraordinary and exigent circumstances that warrant staying the writ for a reasonable period, not to exceed seven days.

**History:** 1991 c 193 s 2