JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER *(FOR CLERK USE ONLY)*: _____

STYLED _____

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:	**2. Names of parties in case:**
Name: _____ Telephone: _____ Address: _____ Fax: _____ City/State/Zip: _____ State Bar No: _____ Email: _____ Signature: _____	Plaintiff(s): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties]

3. Indicate case type, or identify the most important issue in the case *(select only 1)*:

☐ ***Debt Claim***: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than $20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ ***Eviction:*** An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than $20,000, excluding statutory interest and court costs but including attorney fees, if any.
☐ ***Repair and Remedy***: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than $20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ ***Small Claims:*** A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than $20,000, excluding statutory interest and court costs but including attorney fees, if any.

Cause No._____

_____	§	**IN THE JUSTICE COURT**
Petitioner, Tenant		
	§	**PRECINCT 3, PLACE 1**
_____	§	**FORT BEND COUNTY, TX**
Defendant, Landlord		

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1. COMPLAINT: Tenant files this Petition against the above-named Landlord pursuant to Section 92.0563, Texas Property Code because there is a condition in Tenant's residential property that would materially affect the health or safety of an ordinary tenant.

Information Regarding Residential Rental Property:

Street address | Unit No. (if any) | City | County | State | ZIP Code

Landlord's Contact Information:

Bus. Street add. | Unit No. (if any) | City | County | State | ZIP Code

2. SERVICE OF CITATION: (Check each statement that is true)

☐ Tenant received in writing Landlord's name and business street address, where Landlord may be served as shown above.
☐ Tenant received in writing the name and business street address of Landlord's management company
☐ The name of Landlord's management company is_____. To Tenant's knowledge, this is the management company's contact information:

Bus. Street address | Unit No. (if any) | City | County | State | ZIP Code

☐ The name of Landlord's on-premise manager is _____. To Tenant's knowledge, this is the on-premise manager's contact information:

Bus. Street address | Unit No. (if any) | City | County | State | ZIP Code

☐ The name of Landlord's rent collector is _____. To Tenant's knowledge, this is the rent collector's contact information:

Bus. Street address | Unit No. (if any) | City | County | State | ZIP Code

3. LEASE AND NOTICE: (Check each statement that is true)

☐ The lease is oral. ☐ The lease is in writing. ☐ The lease requires the notice to repair or remedy a condition to be in writing.
☐ Tenant gave written notice to repair or remedy the condition on _____, 20____. ☐ The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on_____, 20 ____.
☐ The tenant gave oral notice to repair or remedy the condition on _____, 20____. Name of the person(s) to whom oral notice was given: _____. Place where oral notice was given:_____.

4. RENT:

At the time Tenant gave notice to repair or remedy the condition, Tenant's rent was: ☐ current (no rent owed) ☐ not current, but Tenant offered to pay the rent and Landlord did not accept it, or ☐ not current and Tenant did not offer to pay the rent owed.
Tenant's rent is due on the _____day of the ☐ month ☐ week ☐ _____(specify other rent payment period). The rent is $_____ per ☐ month ☐ week ☐ _____ (specify other rent payment period).
Tenant's rent (check one): ☐ is not subsidized by the government ☐ is subsidized by the government as follows, if known: $_____ paid by the government, and $_____ paid by Tenant.

5. PROPERTY CONDITION:

Describe the property condition materially affecting the physical health or safety of an ordinary tenant that Tenant seeks to have repaired or remedied:

_____

_____.

6. RELIEF REQUESTED: (check all that apply) Tenant requests the following relief:

☐ a court order to repair or remedy the condition.
☐ a court order reducing Tenant's rent (in the amount of $_____ to begin on _____, 20____). ☐ actual damages in the amount of $_____ ☐ a civil penalty of one month's rent plus $500.
☐ attorney's fees.
☐ court costs. Tenant states that the total relief does not exceed $20,000, excluding interest and court costs, but including attorney's fees.

Tenant's Signature: _____ Date:_____

_____ _____
Street address | Unit No. (if any) | Phone Number

_____
City | State | ZIP Code

Case No._____

In the Justice Court, Precinct 3, Place 1, Fort Bend County, Texas

_____ VS _____

Plaintiff Defendant

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

Before me, the undersigned authority, on this day personally appeared:

_____

Who, under penalty of perjury (fine and/or up to one year in jail), state the following:

My name is _____

I am the plaintiff or Attorney of record or authorized agent of the plaintiff. I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

(*check one*)

- ❑ Defendant **is not** in the military.
- ❑ Defendant **is** in the military service, I know this because _____ _____ _____
- ❑ I am unable to determine whether or not the Defendant is in military service.

_____

Plaintiff Signature/Attorney or Agent for Plaintiff

SWORN TO and SUBSCRIBED before me on this ____day of _____, 20__.

_____

Notary Public in and for the State of Texas

Or Clerk of the Justice Court