

ORIGINAL PETITION EVICTION CASE

Case No. _____

Court Date: _____

Plaintiff _____

JUSTICE OF THE PEACE

Vs

PRECINCT 3 PLACE 2

Defendant (First Name, Last Name) _____ and All Occupants
(check if suit includes all occupants)

FORT BEND COUNTY, TEXAS

Rental Subside (if any) \$ _____ Tenant's Portion \$ _____ TOTAL MONTHLY RENT \$ _____

COMPLAINT: Plaintiff (Landlord) hereby complains of the Defendant(s) named above for eviction of Plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. City State Zip

DEFENDANT(S) INFORMATION (if known): Date of Birth: _____ Defendant's phone #: _____

Last 3 of Driver License: _____ Last 3 of Social Security: _____ Email Address: _____

1-5 Must Be Answered

1. SERVICE OF CITATION: Service is requested on Defendant(s) by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the Defendant(s) may be served are:

Plaintiff does not know of any other work or home address for Defendant in the county where the premises are located.

2. GROUNDS FOR EVICTION:

a. UNPAID RENT: Defendant(s) failed to pay rent for the following time period(s): _____. The amount of rent claimed as of the date of filing is: \$ _____. Defendant(s) has or has not been late/delinquent in paying rent before the month in which notice was given. Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

b. OTHER LEASE VIOLATIONS: Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows:

c. HOLDOVER: Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or periodic tenancy, which ended on _____, 20_____.

d. SQUATTER: Defendant(s) never had a right to possess the property and are unlawfully occupying the premises after a demand to surrender possession given on _____, 20_____. Plaintiff has or has not attached a Motion for Summary Disposition under Rule 510.10.

e. EXPIRATION OF TENANCY AT WILL OR BY SUFFERENACE: Defendant(s) had no lease agreement and have failed to vacate the premises after being given a termination notice, if applicable, and a demand to surrender possession given on _____, 20_____.

3. PRE-SUIT NOTICE: Plaintiff has given Defendant(s) a notice to vacate notice to pay or vacate (according to Property Code §24.005(f-3) or (f-4)) and demand for possession. Such notice was delivered on _____, 20_____ by this method:

4. ATTORNEY'S FEES: Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: _____

5. SUIT FOR RENT: Plaintiff does or does not include a suit for unpaid rent.

IMMEDIATE POSSESSION BOND: If the Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the court set the amount of the bond; (2) the court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

RELIEF: Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees if applicable, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

I hereby request a jury trial. The fee is \$22.00 and must be paid at least 3 days before trial.

I give my consent for the answer and any other motions or pleadings to be sent to my email address which is:

_____ **(Please note:** If you choose to receive documents by email, you must have an email account where you can receive, open, and view large attachments, and it is important that you check this email account every day. **Even if you receive some documents by email, you will still receive some documents about the case by mail or personal service, so you must not ignore any documents from the court or other parties received by mail or personal service.)**

Printed Name of Plaintiff /Agent / Attorney

Phone Number

Signature of Plaintiff / Agent /Attorney (circle one)

Address

Plaintiff Address if different

Sworn to and subscribed before me this _____ day of _____, 20_____.

CLERK OF THE JUSTICE COURT OR NOTARY

CASE NO. _____

SERVICEMEMBERS CIVIL RELIEF ACT OF 2003 AFFIDAVIT

50 USC Sec. 520

Plaintiff being duly sworn on oath deposes* and says that defendant(s)

_____ and _____ is (are)

(PLEASE CHECK ONE)

- not in the military
- not on active duty in the military and/or not in a foreign country on military service
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Relief Act of 2003
- military status is unknown at this time

Signature of Plaintiff / Agent / Attorney (circle one)

Subscribed and sworn to before me on this the _____ day of _____, 20_____

Clerk of the Justice Court or Notary