

ORIGINAL PETITION EVICTION CASE

Case No. \_\_\_\_\_

Court Date: \_\_\_\_\_

Plaintiff \_\_\_\_\_

JUSTICE OF THE PEACE

Vs

PRECINCT FOUR

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): Defendant's phone #: \_\_\_\_\_ Last 3 numbers of Driver License: \_\_\_\_\_ Last 3 numbers of Social Security: \_\_\_\_\_

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 AS GROUNDS FOR EVICTION: Defendant(s) failed to pay rent for the following time period(s): \_\_\_\_\_ TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$ \_\_\_\_\_

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 GROUNDS FOR EVICTION/LEASE VIOLATIONS: Lease Violations (if other than non-paid rent - list lease violations)

c. HOLDOVER AS GROUNDS FOR EVICTION: Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

3. NOTICE TO VACATE: Plaintiff has given Defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ and delivered 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.

REQUEST FOR JUDGMENT: Plaintiff prays that Defendant(s) be served with citation and that Plaintiff have judgment against Defendant(s) for: possession of premises, including removal of Defendants and Defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

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

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