

ORIGINAL PETITION EVICTION CASE

Case No. _____

Court Date: _____

Plaintiff _____

Vs

JUSTICE OF THE PEACE
PRECINCT ONE - PLACE ONE
FORT BEND COUNTY, TEXAS

Defendant (First Name, Last Name) _____ and All Occupants
(check if suit includes all occupants)
[] With suit for Rent

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:

[] Premises not subject to CARES Act [] Landlord has not received CDC declaration

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: _____

1-4 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. 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: _____

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_____.

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