

**PETITION: EVICTION CASE**

CASE NO. (court use only) \_\_\_\_\_

**With suit for Rent**

COURT DATE: \_\_\_\_\_

In the Justice Court, Precinct \_\_\_\_\_, \_\_\_\_\_ County, Texas

PLAINTIFF \_\_\_\_\_  
(Landlord/Property Name)

VS. \_\_\_\_\_  
DEFENDANT(S): \_\_\_\_\_

Rental Subsidy (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. (If any) City State Zip

1. **SERVICE OF CITATION:** Service is requested on defendants 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:

2.  **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.

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

4.  **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\_\_\_\_\_.

5. **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 \_\_\_\_\_ and delivered by this method:

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

7.  **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

**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: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Printed Name

**DEFENDANT(S) INFORMATION** (if known):  
DATE OF BIRTH: \_\_\_\_\_  
\*LAST 3 NUMBERS OF DRIVER LICENSE: \_\_\_\_\_  
\*LAST 3 NUMBERS OF SOCIAL SECURITY: \_\_\_\_\_  
DEFENDANT'S PHONE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Signature of Plaintiff (Landlord/Property Owner) or Agent  
\_\_\_\_\_  
Address of Plaintiff (Landlord/Property Owner) or Agent  
\_\_\_\_\_  
City State Zip  
\_\_\_\_\_  
Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

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

# 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.

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

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

|   |  |
|---|--|
| <input type="checkbox"/> <b>Debt Claim:</b> 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.   | <input type="checkbox"/> <b>Eviction:</b> 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any. |
| <input type="checkbox"/> <b>Repair and Remedy:</b> 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any. | <input type="checkbox"/> <b>Small Claims:</b> 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.  |



In addition to the above information, the Service members' Civil Relief Act has become law. The legislation, passed by Congress and signed by the President, took effect immediately when it was signed on December 19, 2003.

When filing any Civil Suits this form must be filled out and accompany the complaint upon filing. The fees remain the same.

CAUSE NO. \_\_\_\_\_

AFFIDAVIT

SEC. 201 (b)

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

is not in the military

not on active duty in the military and/or

not in a foreign country on military service

is on active military duty and/or is subject to the Service members Civil Relief Act of 2003 .

military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF SIGNATURE

(Select the applicable title for the jurat's below)

Subscribed and sworn to before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF  
TEXAS/CLERK OF THE JUSTICE COURT

Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year, or both.

LEGAL VACATE NOTICE (

OWNERS NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

DATE SERVED: \_\_\_\_\_

TO: \_\_\_\_\_ AND ALL OTHER OCCUPANTS  
(All persons intended to be evicted should be listed by name if known)

Being entitled to possession of the following described real estate and premises, I hereby demand possession of the same from you, to-wit: (full address of premises)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suit for eviction will be filed unless the premises rented to you are vacated with \_\_\_\_\_ days from delivery of this notice.

\_\_\_\_\_  
SIGNATURE (Owner/Agent)

\_\_\_\_\_  
Print Signature from above

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Date Witnessed