**JUSTICE OF THE PEACE 1-1**

**WRIT OF RESTORATION OF UTILITIES**

A landlord cannot interrupt a residential tenant's utility service unless it is for bona fide repairs,

construction or an emergency -- regardless of how the tenant pays for the utility service. A tenant may file a writ of restoration of utilities if the utilities were disconnected by a landlord illegally. The tenant may file with the justice court a writ of restoration of utilities to require the landlord to reconnect the service. Texas Property Code Section 92.0091 is the statute that governs a case for restoration of utilities. If a landlord has interrupted utility service in violation of Texas Property Code Section 92.008 the tenant may obtain relief as provided by this section.

**Step 1** - The tenant must file with the justice court in the precinct in which the rental

premises are located a sworn complaint specifying the facts of the alleged unlawful utility

disconnection by the landlord or the landlord's agent.

**Step 2** – The clerk will set an immediate ex parte hearing before the Judge in which the

tenant will state under oath the facts of the alleged unlawful utility disconnection.

**Step 3**- The Judge may issue a writ of restoration which can be served on the landlord or the

landlord's management company, on-premises manager, or rent collector in the same

manner as a writ of possession in a forcible detainer suit.

**Step 4** - The landlord may request a hearing. The Court will give notice to all parties once a

hearing is requested. If the landlord does not request a hearing, the Judge may render a

judgment against the landlord.

**CAUSE NUMBER: JPC\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-11**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

***Applicant(s)/Tenant(s) Name***

**§ IN THE JUSTICE COURT**

**§**

**§ PRECINCT 1, PLACE 1**

**§**

**§ DALLAS COUNTY, TEXAS**

**APPLICATION FOR WRIT OF RESTORATION**

The undersigned Applicant makes this Application for Writ of Restoration of utilities at a residence at the following location, which Applicant is authorized to occupy (“Residence”):

**ADDRESS OF RESIDENCE**:

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

The person who has unlawfully disconnected the utilities at the Residence is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who may be given notice of this

application at the following address:

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_E-Mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following is a statement of facts showing that the utilities have been illegally disconnected at the

Residence:

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

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

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

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

***Unsworn Declaration (Texas Civil Practice and Remedies Code, Section 132.001)***

My name and address are as follows:

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

*Printed Name Plaintiff*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Street Address / City / State / Zip / Country*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Phone Number / Fax Number*

My date of birth is \_\_\_\_\_\_\_\_\_ / \_\_\_\_\_\_\_\_\_\_ / \_\_\_\_\_\_\_\_\_

I declare under penalty of perjury that all information in the attached document titled, ***Petition for Writ of Restoration of Utilities***, is true and correct.

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

*Signature Date*