

PETITION: EVICTION CASE

CASE NO. JPC- _____ -11

☐**With suit for Rent**

I hereby acknowledge the court date and understand if the Plaintiff fails to appear, the case may be Dismissed for Want of Prosecution

PLAINTIFF _____

(Landlord/Property Name)

vs.

Defendant(s) _____

X _____

(Please Initial and Sign)

Rental Subsidy (if any) \$ _____

Tenant's Portion \$ _____

TOTAL MONTHLY RENT \$ _____

Other: Does this include all tenant(s)? ☐ Yes ☐ No**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 / EXPIRATION OF TENANCY AT WILL OR BY SUFFERANCE:** 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____ **OR** 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____.

5. ☐ **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 _____. Plaintiff o has or o has not attached a Motion for Summary Disposition under Rule 510.10.

6. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written ☐ notice to vacate ☐ notice to pay or 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 ☐ in person to the tenant(s). ☐ in person to an occupant at least sixteen years of age. ☐ by mail. ☐ by affixing to the inside of the main entry door. ☐ other _____

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

8. ☐ **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.

***TRCP Rule 500.5(b): If the last day to file an appeal falls on a day the court is closed before 5:00 p.m., the time to appeal is extended to the court's next business day.**

☐ 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

Signature of Plaintiff (Landlord/Property Owner) or Agent

DEFENDANT(S) INFORMATION (if known):

DATE OF BIRTH: _____

*LAST 4 NUMBERS OF DRIVER LICENSE: _____

*LAST 4 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

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____

CLERK OF THE JUSTICE COURT OR NOTARY

*****PLAINTIFF MUST NAME AS DEFENDANT(S) ALL TENANTS OBLIGATED UNDER THE LEASE WHOM PLAINTIFF SEEKS TO EVICT*****

PLAINTIFF: PLEASE REVIEW THIS PETITION TO ENSURE THAT THE REQUIRED INFORMATION IS PROVIDED TO AVOID A POSSIBLE DISMISSAL