

**JUSTICE OF THE PEACE 2-1**

**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](https://www.texastenant.org/texas_statutes.html?linkid=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:**  **JS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_D**

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| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  ***Applicant(s)/Tenant(s) Name*** | **§**  **§**  **§**  **§**  **§**  **§**  **§** | **IN THE JUSTICE COURT**  **PRECINCT 2, 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Thefollowing 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 / Email* |
|  | *❒ I consent to receiving filings by email / Email Address* |

My date of birth is:

|  |  |
| --- | --- |
|  | *Month / Day / Year* |

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 Dallas County, State of Texas* |
|  | *Sign in (County of Signature) County, State of (State of signature)* |
|  | *Date* |