

IN THE JUSTICE COURT, PRECINCT 5-1, DALLAS COUNTY

Court Date: _____ @ 10AM

PETITION: EVICTION CASE

CASE NO. JPC - 51

X _____

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)

V.

DEFENDANT(S) **Only** named Tenant

Rental Subsidy (if any) \$

Tenant's Portion \$ _____

Total Monthly Rent \$ _____

OR Fair Market Value \$ _____

COMPLAINT: Plaintiff hereby sues the following Defendant(s) for eviction from Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the property is:

Street Address **Unit No. (if any)** **City** **State** **Zip**

GROUND FOR EVICTION: Plaintiff alleges the following grounds for eviction:

Unpaid rent. Defendant(s) failed to pay rent for the following time period(s): _____
The amount of rent claimed as of the date of filing is: \$_____. Defendant has or has not been late/delinquent in paying rent before the month in which notice was given. 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.

Other lease violations. Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows:

Holdover. Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or periodic tenancy, which ended on _____.

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 has or has not attached a Motion for Summary Disposition under Rule 510.10.

Expiration of Tenancy at Will or by Sufferance. 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

PRE-SUIT NOTICE: Plaintiff has given Defendant(s) a notice to vacate notice to pay or vacate (*according to Property Code § 24.005(f-3) or (f-4)*) and demand for possession. Such notice was delivered on _____, by this method: _____.

ATTORNEY'S FEES: Plaintiff will be or will not be seeking applicable attorney's fees. The attorney's name, address, phone and fax numbers are:

IMMEDIATE POSSESSION BOND: If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the court set the amount of the bond; (2) the court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s). **Bond is \$1,000.00 and is attached.**

SERVICE OF CITIGATION: Service is requested on Defendant(s) by personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Home or work addresses other than the premises where Defendant(s) may be served are:

Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

RELIEF: Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees if applicable, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

SERVICE BY EMAIL:

Yes, I would like to receive documents related to this case by email at this email address:

Respectfully submitted,

Petitioner's Printed Name

Signature of Plaintiff, Agent or Attorney

(If known) Defendant's Information

Address:

DOB:

Last 4 of DL:

Last 4 of SS:

Telephone:

Telephone:

SWORN TO AND SUBSCRIBED before me on _____.

[seal]

CLERK OF THE JUSTICE COURT OR NOTARY

OR

Declaration

My name is _____, my date of birth is ____/____/_____,
First Middle Last Month Day Year

and my address is _____.
Street City State Zip Country

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of Texas, on the ____ day of _____, 20____.

Signature of Declarant _____

PLAINTIFF

§ JUSTICE OF THE PEACE COURT

§

vs.

§ PRECINCT 5, PLACE 1

§

DALLAS COUNTY, TEXAS

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DALLAS COUNTY, TEXAS

DEFENDANT

SERVICE MEMBER AFFIDAVIT BY PLAINTIFF

Plaintiff, or Plaintiff's representative, being duly sworn on oath deposes and says that, to the best of my knowledge, Defendant:

_____ is not in the military

is not on active duty in the military

is not in foreign country on military service

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

has waived his rights under the Service Members Civil Relief Act of 2003.

Military status is unknown at this time.

Plaintiff / Representative

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

Notary Public or Clerk of the Court

Department of Defense Service Members Civil Relief Act Website

<https://www.dmdc.osd.mil/appj/scra/>

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.