

## 5 WAYS TO DELIVER AN EVICTION NOTICE

1. HAND DELIVER TO ANY PERSON 16 YEARS OF AGE OR OLDER.
2. AFFIX TO THE INSIDE OF THE MAIN ENTRANCE DOOR.
3. SEND REGULAR MAIL, REGISTERED
4. SEND CERTIFIED MAIL WITH RETURN RECEIPT (BEST WAY)
5. AFFIX TO OUTSIDE OF MAIN ENTRY DOOR ONLY IF THERE IS NO MAIL BOX, YOU CANNOT FIND ANYONE HOME OR THERE IS NO WAY TO GET INSIDE THE HOUSE BECAUSE OF DEADLOCKS OR DANGEROUS DOGS.

UNLESS YOUR LEASE STATES OTHERWISE YOU MUST GIVE THE TENANT A 3 DAY NOTICE. YOU MUST WAIT OUT THE 3 DAYS BEFORE YOU FILE.  
ALWAYS MAKE COPIES.

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

**PETITION: EVICTION CASE**

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s) (*include name, DOB, and DL number, if known*) \_\_\_\_\_

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: \$ \_\_\_\_\_. 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, which was on \_\_\_\_\_, 20\_\_\_\_.

**NOTICE TO VACATE:** Plaintiff has given Defendant(s) a written notice to vacate (*according to Property Code § 24.005*) and demand for possession. Such notice was delivered on the , 20 by this method:

**SUIT FOR RENT:** Plaintiff  does or  does not include a suit for unpaid rent.

**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).

**SERVICE OF CITATION:** 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. Other home or work addresses where Defendant(s) may be served are:

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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, 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.

I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.

I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: \_\_\_\_\_.

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Plaintiff's Printed Name

Signature of Plaintiff or Agent or Attorney

Defendant's Information (if known): Name: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Last three digits of Driver License: \_\_\_\_\_ Last three digits of Soc. Sec. No.: \_\_\_\_\_

**SERVICE BY EMAIL:** (Normally, documents in this case are sent by mail. If it is easier for you, you can choose to get some of the documents sent by email. If you choose to get documents by email, you must have an email account where you can receive, open, and view large attachments, and it is important that you check this email account every day. Even if you receive some documents by email, you will still receive some documents about the case by mail or personal service, so you must not ignore any documents from the court or other parties received by mail or personal service.)

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

No, I do not want to receive any documents by email.

**REMOTE PARTICIPATION:**

**Hearing by Phone Call:** (When a hearing happens by phone call, you will be able to talk to and hear the judge, Plaintiff, or any witnesses, but you will not be able to see them. Copies of any evidence to be used must be exchanged by the parties and sent to the judge before the hearing.)

Yes, I am able to have any hearings in this case, except a jury trial, by phone call with the judge and Plaintiff and understand that I must have a phone to use on the date and time of the hearing.

No, I am not able to have hearings by phone call.

**Hearing by Video Conference:** (When a hearing happens by video conference, you can hear, see, and talk to the judge, Plaintiff, and any witnesses. You will be able to see any evidence presented during the hearing. You will need to have a computer, a smartphone, or tablet that has a camera feature. You will also need access to the internet to be able to have a video conference.)

Yes, I am able to have any hearings in this case, except a jury trial, by video conference. I understand that I am responsible for having the equipment and internet access needed to participate in a video conference on the date and time of the hearing.

No, I am not able to have hearings by video conference.

*NOTE: Your responses in this section do not guarantee that hearings will be held remotely, but rather they help the court know how you are able to participate.*

Respectfully submitted,

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Signature of Plaintiff

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Signature of Attorney, if any

Printed Name:

Printed Name:

Address:

Address:

Email:

Email:

Telephone:

Telephone:

Fax:

Fax:

State Bar No.:

SWORN TO AND SUBSCRIBED before me on \_\_\_\_\_, 20 \_\_\_\_.

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CLERK OF THE JUSTICE COURT OR NOTARY

DOCKET NO. \_\_\_\_\_

CASE NO. \_\_\_\_\_

**MILITARY AFFIDAVIT**

Plaintiff being duly sworn on oath deposes\* and says that defendant(s) is (are)

(CHECK ONE)

- not in the military
- not on active duty in the military and/or
- not in a foreign country on military service
- on active military duty and/or is subject to the Service members Civil Relief Act of 2003
- has waived his/her rights under the Service members Civil Act of 2003
- military status is unknown at this time

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PLAINTIFF

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

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NOTARY / CLERK

- Notary Public in and for the State of Texas

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SEAL

- Clerk of the Justice Court

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

<hr/> <b>PLAINTIFF</b>	§ IN THE JUSTICE COURT
<b>v..</b>	§
	§ PRECINCT 1
<hr/> <b>DEFENDANT</b>	§
	§ VAN ZANDT COUNTY, TEXAS

**NOTICE OF DEFENDANT'S LAST KNOWN MAILING ADDRESS**

The undersigned certifies that the last known mailing address of the defendant in this case is:

Defendant's Name:

**Defendant's Last Known Mailing Address:**

(Signature of Plaintiff or Plaintiff's Attorney of Record) Date

Printed Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: