

PETITION: EVICTION CASE

CASE NO. (court use only) _____

With suit for Rent

COURT DATE: _____

In the Justice Court, Precinct _____, _____ County, Texas

PLAINTIFF _____

(Landlord/Property Name)

VS.

DEFENDANT(S): _____

Rental Subsidy (if any)

\$ _____

Tenant's Portion

\$ _____

TOTAL MONTHLY RENT

\$ _____

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 AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal or extension period, which was the _____ day of _____, 20_____.

5. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to 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 by this method: _____
6. **ATTORNEY'S FEES:** Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: _____
7. **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.

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: _____

Address of Plaintiff (Landlord/Property Owner) or Agent

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

City _____ State _____ Zip _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent _____

DEFENDANT'S PHONE NUMBER: _____

Sworn to and subscribed before me this _____ day of _____, 20_____.

CAUSE NO. _____

VS.

§ IN THE JUSTICE COURT
§
§ PRECINCT # _____
§
§ ECTOR COUNTY, TEXAS

AFFIDAVIT OF KNOWLEDGE OF MILITARY STATUS

I, the above-named Plaintiff, being duly sworn on oath, do depose and say that, to my knowledge:

_____ The above-named Defendant is **not** on active military duty

(To check this line, you must provide a brief description below of how you arrived at this conclusion. For assistance in determining status, please visit www.dmdc.osd.mil/scra/owa/home)

_____ The above-named Defendant **is** on active military duty and has waived his or her rights under the Service Members Civil Relief Act of 2003. *(Please provide a copy of the waiver to the Court)*

_____ The above-named Defendant's military status is unknown by me.

I, the above-named Plaintiff, do hereby swear under penalty of perjury (as that term is defined and set forth by Title 18 of the United States Code), that the information contained in this affidavit is true and correct to the best of my knowledge.

PLAINTIFF

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

Notary/Court Clerk