

COMPLAINT TO REMOVE PERSON OCCUPYING DWELLING

WITHOUT OWNER'S CONSENT

I, _____, (declare under the penalty of perjury) that:

(Complete each item as applicable and initial each item.)

_____ 1. I am the owner of residential real property located at _____ (property address) or the agent of the owner.

_____ 2. A person unlawfully entered and occupies a dwelling on the property without the owner's consent.

_____ 3. The property was not open to the public when the person entered the property.

_____ 4. The property is not the subject of pending litigation between the owner and the person.

_____ 5. The owner or the owner's agent has directed the person to leave the property and the person has not done so.

_____ 6. The person is not a current or former tenant of the owner under an oral or written lease and any lease produced by the person is fraudulent.

_____ 7. The person is not an owner or co-owner of the property and any title to the property that lists the person as an owner or co-owner is fraudulent.

_____ 8. The person is not an immediate family member of

the owner.

9. I understand that a person removed from the property as a result of this complaint may bring an action against me for any false statement made in the complaint or for wrongfully submitting the complaint.

10. I understand that I may be held liable for actual damages, exemplary damages, court costs, and reasonable attorney's fees in an action described by Item 9.

11. I am requesting that the sheriff or constable immediately remove each person occupying the dwelling without the owner's consent.

12. A copy of my valid government-issued identification is attached and, if I am the owner's agent, a document evidencing my authority to act on the property owner's behalf is attached.

I HAVE READ EACH STATEMENT IN THIS COMPLAINT AND CONFIRM EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT A STATEMENT

MADE IN THIS COMPLAINT IS MADE UNDER PENALTY OF PERJURY,

PUNISHABLE UNDER SECTION 37.02, PENAL CODE.

(Property owner/agent)