

Case No. _____

_____) (**IN THE JUSTICE COURT**
Tenant _____) (**PRECINCT 1**
VS. _____) (**MILAM COUNTY, TEXAS**
Landlord _____) (

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1. COMPLAINT: Tenant files this petition against the above-named Landlord pursuant to Section 92.0563 of the Texas Property Code because there is a condition in Tenant's residential rental property that would materially affect the health or safety of an ordinary tenant. Information Regarding Residential Property:

Street Address **Unit No. (If any)** **City** **County** **State** **Zip**
Landlord's Contact Information (to the extent known):

Business Street Address **Unit No. (If any)** **City** **County** **State** **Zip** **Phone Number**

2. SERVICE OF CITATION: Check the box next to each statement that is true
 Tenant received in writing Landlord's name and business street address
 Tenant received in writing the name and business street address of Landlord's management company.
 The name of the Landlord's management company is _____. To Tenant's knowledge, this is on the management company's contact information:

Business Street Address **Unit No. (If any)** **City** **County** **State** **Zip** **Phone Number**

The name of the Landlord's on-premise manager is _____. To Tenant's knowledge, this is on the on-premise managers contact information:

Business Street Address **Unit No. (If any)** **City** **County** **State** **Zip** **Phone Number**

The name of the Landlord's rent collector serving the residential rental property is _____. To Tenant's knowledge, this is on the rent collector's contact information

Business Street Address **Unit No. (If any)** **City** **County** **State** **Zip** **Phone Number**

3. LEASE AND NOTICE: Check the box next to each statement that is true.
 The lease is oral. The lease is in writing. The lease requires the notice to repair or remedy a condition to be in writing.
 Tenant gave written notice to repair or remedy the condition on _____. The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on _____.
 Tenant gave oral notice to repair or remedy the condition on _____. Name of person(s) to whom notice was given: _____
_____. Place where notice was given: _____

4. RENT: At the time Tenant gave notice to repair or remedy the condition, Tenant's rent was: current (no rent owed), not current but Tenant offered to pay the rent owed and Landlord did not accept it, or not current and Tenant did not offer to pay the rent owed. Tenant's rent is due on the _____ day of the month week _____ (specify any other rent-payment period). The rent is \$_____ per month week _____ (specify any other rent-payment period). Tenant's rent (check one): is not subsidized by the government is subsidized by the government as follows, if known: \$_____ paid by the government, and \$_____ paid by the Tenant.

5. PROPERTY CONDITION: Describe the property condition materially affecting the physical health or safety of an ordinary tenant that Tenant seeks to have repaired or remedied: _____

6. RELIEF REQUESTED: Tenant requests the following relief: a court order to repair or remedy the condition, a court order reducing the Tenant's rent (in the amount of \$_____ to begin on _____), actual damages in the amount of \$_____, a civil penalty of one month's rent plus \$500, attorney's fees, and court costs. Tenant states that the total relief requested does not exceed \$10,000, excluding interest and court costs but including attorney's fees.

Tenant Signature: _____ Date: _____

Street Address **Unit No. (if any)** **Phone Number**

City **State** **Zip**

SERVICEMEMBER'S CIVIL RELIEF ACT

DOCKET NO. _____

**AFFIDAVIT
50 USC Sec. 520**

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 Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

PLAINTIFF

(Select the applicable title under the signature for the jurat below)

Subscribed and sworn to before me no this the ____ day of _____, 20__.

NOTARY / CLERK

- Notary Public in and for the State of Texas
- Clerk of the Justice Court

SEAL

***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.**