

**PETITION: EVICTION CASE**

CASE NO. (court use only) \_\_\_\_\_

**With suit for Rent**

COURT DATE: \_\_\_\_\_

In the Justice Court, Pct 2, Montgomery County

PLAINTIFF \_\_\_\_\_

(Landlord/Property Name)

Rental Subsidy (if any) \$ \_\_\_\_\_

VS.

Tenant's Portion \$ \_\_\_\_\_

DEFENDANT(S): \_\_\_\_\_

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
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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 of 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: \_\_\_\_\_

**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.

**If you wish to give your consent for the court to contact you via email with time-sensitive information, please check this box, and provide your valid email address:** \_\_\_\_\_.

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Signature of Plaintiff (Landlord/Property Owner) or Agent

**DEFENDANT(S) INFORMATION** (if known):

\_\_\_\_\_  
Address of Plaintiff (Landlord/Property Owner) or Agent

DATE OF BIRTH: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

\*LAST 3 NUMBERS OF DRIVER LICENSE: \_\_\_\_\_

\*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\_\_\_\_\_.

**EFFECTIVE SEPTEMBER 1, 2017**

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

**\$46.00 FILING FEES**

**\$75.00 SERVICE FEES (PER DEFENDANT)**

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

AFFIDAVIT  
50 USC Sec. 520

Plaintiff being duly sworn on oath deposed and says that defendant(s) is (are)  
(CHECK ONE)

- Not in the military
- Not on active duty in the military and/or
- Not in foreign county on military service
- On active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- Had waived his/her rights under the Servicemembers Civil Relief Act of 2003
- Military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF

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

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

\_\_\_\_\_  
SEAL

\_\_\_\_\_  
Notary Public in and for the State of Texas

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.