

INFORMATION FOR FILING EVICTION

REMEMBER—THE JUDGE CANNOT DISCUSS THIS CASE WITH YOU PRIOR TO THE HEARING

IF YOU HAVE ANY LEGAL QUESTIONS—YOU MUST CONSULT AN ATTORNEY

CLYDE BLACK
JUSTICE OF THE PEACE, PCT. #1
700-B SOUTH 4TH STREET
CROCKETT, TEXAS 75835
PHONE: (936) 544-2564

RONNIE JORDAN
JUSTICE OF THE PEACE, PCT. #2
401 E. HOUSTON AVE. 1ST FLOOR
CROCKETT, TEXAS 75835
PHONE: (936) 544-3255 EXT. 269

MORRIS LUKER
CONSTABLE, PCT. #1
700-B SOUTH 4TH STREET
CROCKETT, TEXAS 75835
PHONE:(936) 544-2481

KENNETH "RED" SMITH
CONSTABLE, PCT. #2
401 E. HOUSTON AVE. 1ST. FLOOR
CROCKETT, TEXAS 75835
PHONE: (936) 544-3255 EXT. 307

COSTS FOR FILING PETITION FOR EVICTION IN JUSTICE COURT

FILING FEES FOR INITIAL FILING

JUSTICE CLERK'S FEES (FILING FEES)	\$ 54.00
CONSTABLE'S SERVICE FEES	\$100.00
TOTAL	<u>\$154.00</u>

FILING FEES IF WRIT OF POSSESSION IS NECESSARY

JUSTICE CLERK'S FEE	\$ 25.00
CONSTABLE'S SERVICE FEES	\$150.00
TOTAL	<u>\$175.00</u>

FOR FIRST 2 HOURS THEN \$50.00 PER HOUR THEREAFTER ON LOCATION FOR REMOVAL OF ITEMS.

ALL FILING FEES MUST BE PAID BEFORE SUIT IS FILED. IF A WRIT OF POSSESSION IS NECESSARY, THE FEE MUST BE PAID BEFORE THE WRIT OF POSSESSION IS ISSUED.

IF YOU NEED ANY FURTHER INFORMATION YOU CAN GO TO THE HOUSTON COUNTY WEBSITE AND CLICK ON THE JUSTICE OF THE PEACE LINK.

PETITION: EVICTION CASE

CASE NO. (court use only) _____ With suit for Rent COURT DATE: _____

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

PLAINTIFF _____
(Landlord/Property Name)

Rental Subsidy (if any) \$ _____
Tenant's Portion \$ _____
TOTAL MONTHLY RENT \$ _____

VS.
DEFENDANT(S): _____

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 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: _____

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):

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: _____

DEFENDANT'S PHONE NUMBER: _____

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

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

CLERK OF THE JUSTICE COURT OR NOTARY

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____
 (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		2. Names of parties in case:	
Name: _____	Telephone: _____	Plaintiff(s): _____ _____	
Address: _____	Fax: _____	Defendant(s): _____ _____	
City/State/Zip: _____	State Bar No: _____	_____ _____	
Email: _____		[Attach additional page as necessary to list all parties]	
Signature: _____			
3. Indicate case type, or identify the most important issue in the case (select only 1):			
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.		<input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.		<input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	

THIS FORM MUST BE COMPLETE AND RETURNED IN ORDER TO FILE YOUR CASE

CASE NO. _____

**AFFIDAVIT
SEC. 201(b)**

Plaintiff being duly sworn on oath deposes and says that defendant(s):

_____ is not in the military

_____ not on active duty in the military and/or

_____ not in a foreign country on military service.

_____ is on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003.

_____ defendant has waived his rights under the Servicemembers Civil Relief Act of 2003.

_____ military status is unknown at this time.

PLAINTIFF

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
CLERK OF THE JUSTICE COURT

PENALTY FOR MAKING OR USING FALSE AFFIDAVIT--A PERSON WHO MAKES OR USES AN AFFIDAVIT KNOWING TO BE FALSE, SHALL BE FINED AS PROVIDED IN TITLE 18 UNITED STATES CODE, OR IMPRISONED FOR NOT MORE THAN ONE YEAR, OR BOTH.