

**PETITION: EVICTION CASE**

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

HEARING DATE/TIME: \_\_\_\_\_

\_\_\_\_\_  
(PLAINTIFF: Landlord/Property Name)

With suit for Rent

§

IN THE JUSTICE COURT PRECINCT. \_\_\_\_\_,

VS.

§

HARDIN COUNTY, TEXAS

\_\_\_\_\_  
(DEFENDANT)

§

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

**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:

☐ **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.**

☐ **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations)

☐ **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\_\_\_\_\_.

**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:

**ATTORNEY'S FEES:** Plaintiff ☐ will be or ☐ will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are:

☐ **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:

I have \_\_\_\_\_ have not \_\_\_\_\_ received a Declaration that the Defendant(s) area a covered person as defined under the CDC Moratorium Evictions.

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

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court or Notary Public

CAUSE NUMBER: \_\_\_\_\_

_____	§	
PLAINTIFF	§	<b>JUSTICE OF THE PEACE</b>
	§	
Vs.	§	
	§	<b>PRECINCT 2,</b>
_____	§	
DEFENDANT	§	<b>HARDIN COUNTY, TEXAS</b>

**PLAINTIFF'S CERTIFICATE OF LAST KNOWN ADDRESS**

Pursuant to TRCP 503.1 Plaintiff is certifying to the court the last known address of the Defendant is as follows:

_____		
Street		
_____		
City	State	Zip

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
PLAINTIFF

**AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)**

**CAUSE NUMBER:** \_\_\_\_\_

_____, <b>PLAINTIFF</b>	§	<b>IN THE JUSTICE COURT</b>
<b>VS.</b>	§	<b>PRECINCT _____</b>
_____, <b>DEFENDANT</b>	§	<b>HARDIN COUNTY, TEXAS</b>

My name is [please print] \_\_\_\_\_.

I am [check one] ☐ the plaintiff or ☐ an authorized agent of the plaintiff in the case described above. I am capable of making this affidavit. I have been duly sworn on oath and the facts in this affidavit are within my personal knowledge and are true and correct.

[check or fill in as applicable]

☐ **1.** No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines or Coast Guard). The facts on which I base my conclusion are as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **2.** Defendant [insert name(s)] \_\_\_\_\_ is on active duty in the U.S. military.

☐ **3.** Defendant [insert name(s)] \_\_\_\_\_ has been deployed by the U.S. military to a foreign country.

☐ **4.** Plaintiff and the undersigned (if the undersigned is acting agent of plaintiff) are not able to determine whether any defendant is in the U.S. military – except for any defendant named in 2 above.

☐ **5.** Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the U.S. military has been deployed to a foreign country – except for any defendant named in 3 above.

☐ **6.** Defendant [insert name(s)] \_\_\_\_\_ has signed, while on active duty, a ***separate written waiver*** of his or her rights under the U.S. Servicemembers Civil Relief Act of 2003.

\_\_\_\_\_  
Affiant

**Sworn to and subscribed** before me on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Judge) (Clerk)  
Justice Court, Precinct \_\_\_\_\_  
Hardin County, Texas

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