

LANDLORD TENANT FORMS WITH INSTRUCTIONS

FOR RESIDENTIAL/COMMERCIAL EVICTIONS
AND UNLAWFUL DETAINERS

JODY PHILLIPS, CLERK OF THE CIRCUIT AND COUNTY COURTS

COUNTY CIVIL DEPARTMENT- ROOM 1051

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(904) 255-1979

Information or forms provided by the Clerk of Circuit Court should be considered as basic information only and may not be applicable to every situation. The information is not intended to be used as legal advice. Specific guidance as to how to proceed with filing a lawsuit or answering a lawsuit and questions about your particular situation should be directed to a qualified attorney.

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LANDLORD AND TENANT FORMS AND INSTRUCTIONS

The attached forms are designed for your use in the event of common landlord/tenant disputes. No form should be used until you have carefully reviewed and understand the instructions preceding the form, and reviewed the referenced Florida Statutes.

The landlord/tenant relationship is controlled by the terms of your lease and by Part II of Chapter 83 of the Florida Statutes. The procedures for enforcing your rights under your lease and Part II of Chapter 83 are set forth in section 51.011, Florida Statutes. You are advised to carefully review these statutes before starting any legal proceeding concerning your lease. Copies of these statutes are usually available at the law library located at your county courthouse and at your public library.

Before you can start a lawsuit to end a lease or withhold rental payments, you must first give proper written notice. The form of the notice will depend on the landlord's or tenant's reason for terminating the lease or withholding rent. There are two common reasons for a landlord to terminate the lease and evict a tenant. Those reasons are:

1. The tenant has not paid his rent on time.
2. The tenant has not complied with the requirements of the lease or has violated Florida Statutes.

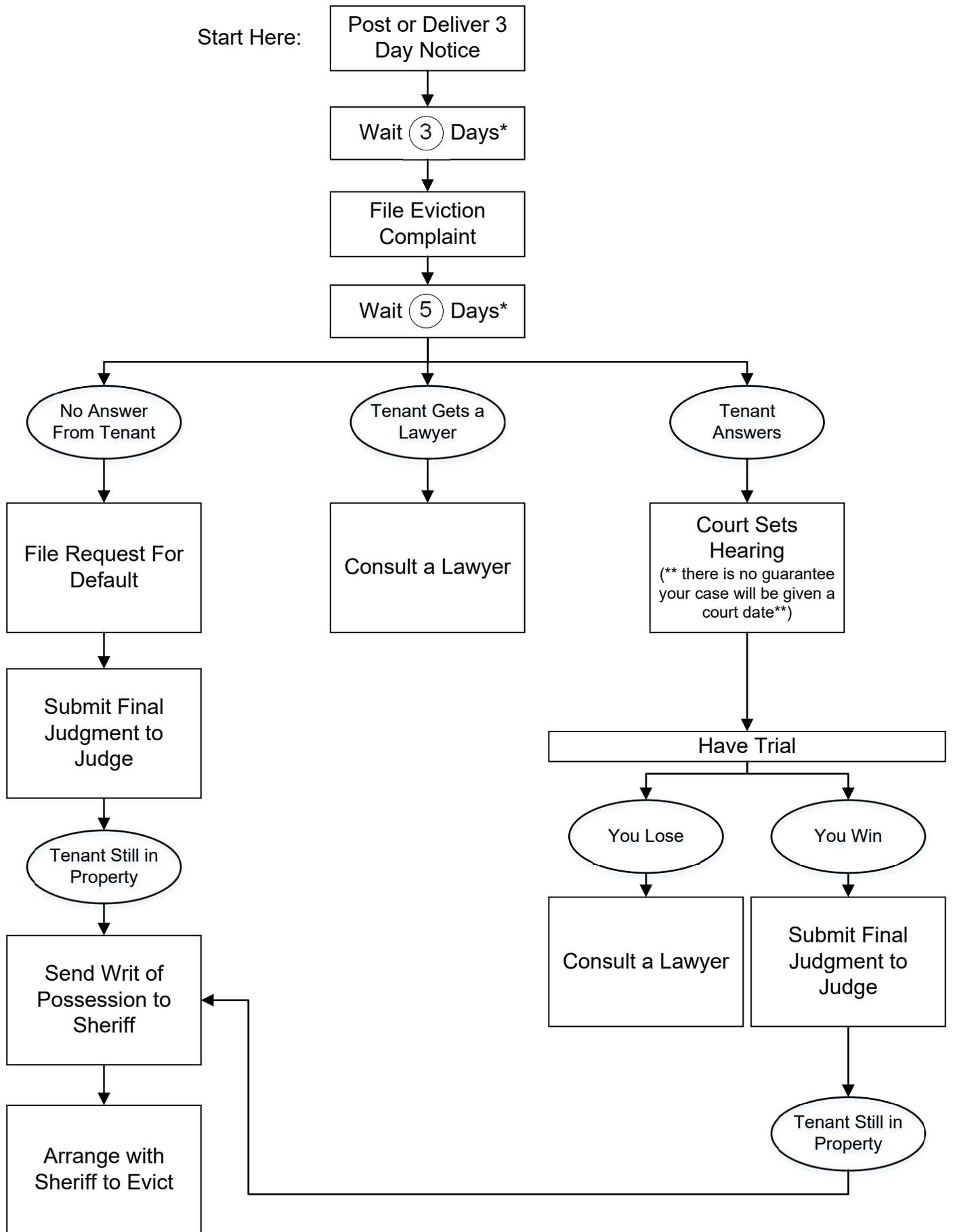
The tenant must give notice to the landlord for one of two reasons. First, a tenant will notify the landlord to end the lease when the landlord does not maintain the property as required by the lease or Florida Statutes. Second, the tenant may instead withhold rent payments.

After sending the notice, it may be necessary to file a suit. The landlord will, as a general rule, have a suit against the tenant not only to evict the tenant (have the tenant removed from the property), but also for damages for unpaid rent. If the amount of damages exceeds \$30,000 you should not use this form. If the landlord wants to evict the tenant for breaches of the lease other than failure to pay rent, his suit may be for non-compliance.

At the time the complaint is filed, the landlord must ask the clerk of the court to issue summonses. A separate summons is necessary for an eviction and to recover damages for unpaid rent. If a landlord is suing the tenant both to evict him and for damages, he will need to have both summonses issued and delivered to the sheriff with the complaint.

If the court rules that the landlord is entitled to evict the tenant and/or recover damages for unpaid rent, the court will sign a judgment in the landlord's favor. Once a landlord receives a final judgment for eviction, he must ask the clerk of the court to execute a Writ of Possession. The Writ of Possession should be delivered to the sheriff by the landlord for service on the tenant.

EVICTION FLOWCHART AND CHECKLIST – NONPAYMENT OF RENT



* Excluding Saturdays, Sundays and legal holidays

EVICTION INFORMATION

FILING FEES AND COSTS

\$185.00 + \$10.00 PER EACH DEFENDANT + \$2.50 EA > 5 DEFENDANTS

No personal checks accepted. We only accept cash, cashier's checks, credit cards, or money orders made payable to the Clerk of Courts. See sheriff's Department for service information *(copy of Sheriff's fees are attached)*

The following lists **ALL** of the items that **MUST** be provided to the clerk when filing your case:

FOR ONE TENANT ONLY

- 1 Civil Cover Sheet
- 1 original and 3 copies of **Complaint for Eviction**, front and back. (One copy will be returned to you with case number.)
- 3 copies of lease (if applicable)
- 3 copies of **Notice**
- 3 copies of Eviction Summons
- ****MANDATORY**** 3 copies of French/Spanish (NOTIFICACION DE DESALOJO/RESIDENCIAL and CITATION D'EVICTION/RESIDENTIELLE).
- 1 original **Certificate of Mailing**
- 1 envelope – with postage minimum of 2 stamps – addressed to each individual tenant –No return address.
****Please note that postage needs to be sufficient for 1 copy of Complaint, Lease, Notice, and Eviction Summons, (Spanish and French versions included).**

FOR TWO TENANTS

- 1 Civil Cover Sheet
- 1 original and 8 copies of **Complaint for Eviction**, front and back, (One copy will be returned to you with case number.)
- 6 copies of lease (if applicable)
- 6 copies of **Notice**
- 6 copies of Eviction Summons
- ****Mandatory**** 6 copies of French/Spanish (**NOTIFICACION DE DESALOJO/RESIDENCIAL and CITATION D'EVICTION/RESIDENTIELLE**).
- 1 original **Certificate of Mailing**
- 2 envelopes – with postage minimum of 2 stamps – addressed to each individual tenant – No return address.
****Please note that postage needs to be sufficient for 1 copy of Complaint, Lease, Notice, and Eviction Summons, (Spanish and French versions included).**

EVICTION AND DAMAGES CASE

FILING FEES AND COSTS

\$185.00 + \$10.00 FOR EACH SUMMONS ISSUED + \$2.50 EA > 5 DEFENDANTS.

No Personal checks accepted. We only accept cash, cashier's checks, credit cards, and money orders made payable to Clerk of Courts. See Sheriff's Department for service information (*copy of Sheriff's fees are attached*)

The following lists **ALL** of the items that **MUST** be provided to the clerk when filing your case:

FOR ONE TENANT ONLY

- 1 Civil Cover Sheet
- 1 original & 4 copies of Complaint for Eviction & Damages, front and back. (One copy will be returned to you with case number.)
- 4 copies of Lease (if applicable)
- 4 copies of Notice
- 3 copies of Eviction Summons
- ****Mandatory**** 3 copies of French/Spanish (**NOTIFICACION DE DESALOJO/RESIDENCIAL and CITATION D'EVICITION/RESIDENTIELLE**)
- 2 copies of Summons: Count II (Damages)
- 1 original Certificate of Mailing
- 1 Envelope – minimum 2 stamps postage – addressed to tenant – No return address.
****Please note that postage needs to be sufficient for 1 copy of Complaint, Lease, Notice, and Eviction summons, (Spanish and French versions included).**

FOR TWO TENANTS

- 1 Civil Cover Sheet
- 1 original & 8 copies of Complaint for Eviction & Damages, front and back, (One copy will be returned to you with case number.)
- 8 copies of lease (if applicable)
- 8 copies of Notice
- 6 copies of Eviction Summons
- ****Mandatory**** 5 copies of French/Spanish (**NOTIFICACION DE DESALOJO/RESIDENCIAL and CITATION D'EVICITION/RESIDENTIELLE**)
- 4 copies of Summons: Count II (Damages)
- 1 original Certificate of Mailing
- 2 envelopes – minimum 2 stamps postage – addressed to each individual tenant – No return address.
*** * Please note that postage needs to be sufficient for 1 copy of Complaint, Lease, Notice, and Eviction Summons (Spanish and French versions included).**

FORM 57

NOTICE FROM LANDLORD TO TENANT-TERMINATION FOR FAILURE TO PAY RENT

To: _____

Tenant's Name

Address

City, State, Zip Code

From: _____

Date: _____

You are hereby notified that you are indebted to me in the sum of [insert amount owed by Tenant] \$_____ for the rent and use of the premises [insert address of leased premises] _____, Duval County, Florida, now occupied by you and that I demand payment of the rent or possession of the premises within three days (excluding Saturday, Sunday and legal holidays) from the date of delivery of this notice to-wit: on or before the _____ day of _____, 20____ [insert the date which is three days from the delivery of this notice, excluding the date of delivery, Saturday, Sunday and legal holidays].

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

NOTICE TO TENANT (15 DAYS)

DATE: _____
(Date served or posted)

TO: _____

(Tenant name(s) and address)

Pursuant to Chapter 83.57, Florida Statutes, you are hereby notified to vacate the premises located at _____
(Tenant address)
on or before _____.
(Date to be vacated)

Owner

By: _____
Agent

**FORM 58
NOTICE FROM LANDLORD TO TENANT--TERMINATION FOR NONCOMPLIANCE
OTHER THAN FAILURE TO PAY RENT**

To: _____

Tenant's Name

Address

City, State, Zip Code

From: _____

Date: _____

You are hereby notified that you are not complying with your lease in that [insert noncompliance] _____

Demand is hereby made that you remedy the noncompliance within seven days of receipt of this notice or your lease shall be deemed terminated and you shall vacate the premises upon such termination. If this same conduct or conduct of a similar nature is repeated within twelve months, your tenancy is subject to termination without your being given an opportunity to cure the noncompliance.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

FORM 59

**NOTICE FROM TENANT TO LANDLORD - TERMINATION FOR FAILURE OF
LANDLORD TO MAINTAIN PREMISES AS REQUIRED BY FLORIDA STATUTE
83.51(1) OR MATERIAL PROVISIONS OF THE RENTAL AGREEMENT**

To: _____

Tenant's Name

Address

City, State, Zip Code

From: _____

Date: _____

You are hereby notified that you are not complying with your lease in that [insert noncompliance] _____

Demand is hereby made that you remedy the noncompliance within seven days of receipt of this notice or your lease shall be deemed terminated and you shall vacate the premises upon such termination. If this same conduct or conduct of a similar nature is repeated within twelve months, your tenancy is subject to termination without your being given an opportunity to cure the noncompliance.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

FORM 60

NOTICE FROM TENANT TO LANDLORD - WITHHOLDING RENT FOR FAILURE OF LANDLORD TO MAINTAIN PREMISES AS REQUIRED BY FLORIDA STATUTE 83.51(1) OR MATERIAL PROVISIONS OF THE RENTAL AGREEMENT

To: _____

Tenant's Name

Address

City, State, Zip Code

From: _____

Date: _____

You are hereby notified that you are not complying with your lease in that [insert noncompliance] _____

Demand is hereby made that you remedy the noncompliance within seven days of receipt of this notice or your lease shall be deemed terminated and you shall vacate the premises upon such termination. If this same conduct or conduct of a similar nature is repeated within twelve months, your tenancy is subject to termination without your being given an opportunity to cure the noncompliance.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

**IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA**

CASE NO: _____
DIVISION: _____

_____,
Plaintiff,

vs.

_____,
Defendant(s).
_____ /

AFFIDAVIT OF PLAINTIFF REGARDING FEDERAL CARES ACT

I, _____, being sworn, certify that the following statements are true (initial each statement that applies in your case):

1. I am _____ the Plaintiff in this action; OR
_____ an authorized business representative of the plaintiff; OR
_____ the attorney for Plaintiff.
2. _____ I have read and am familiar with the (attached) relevant sections of the Federal CARES Act which are applicable to this eviction proceeding.
3. _____ The CARES Act does not apply because this eviction is for a reason other than unpaid rent. (If this line is initialed, do not go further).

For actions filed prior to July 27, 2020:

- A. _____ The property at issue in this action does not fall under the definition of "Covered Property" as defined by the CARES Act.
- B. _____ The property at issue in this action is not encumbered by a Federally Backed Mortgage Loan and/or Federally Backed Multifamily Loan as defined by the CARES Act.
- C. _____ This eviction does not involve unpaid rent for any time period between March 27, 2020 and July 27, 2020.

For actions filed July 27, 2020 and thereafter:

A. _____ The CARES Act does not apply because the unpaid rent is for a period after July 27, 2020 and a 3 day-notice was provided.

B. _____ The unpaid rent is for a time period between March 27, 2020 and July 27, 2020 *however* the CARES Act does not apply because the property at issue in this action does not fall under the definition of “Covered Property” as defined by the CARES Act and/or the property at issue in this action is not encumbered by a Federally Backed Mortgage Loan and/or Federally Backed Multifamily Loan as defined by the CARES Act.

C. _____ The property at issue does fall under the provisions of the CARES Act and some portion of the unpaid rent at issue did accrue between March 27, 2020 and July 27, 2020; however, (1) this action was filed on or after July 27, 2020; and (2) I provided the Defendant a 30-day notice on _____ (insert date of 30 day notice and attach a copy of the notice to Complaint).

D. _____ The property at issue does fall under the provisions of the CARES Act and some portion of the unpaid rent at issue did accrue between March 27, 2020 and July 27, 2020, but I have not yet provided the Defendant with a 30 day notice, as required by the Act.

Dated _____, 2020.

AFFIANT

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____
_____, 2020, by _____.

NOTARY PUBLIC or DEPUTY CLERK

Type of identification produced _____

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO: _____
DIVISION: _____

_____ ,

Plaintiff,

vs.

Defendant,

_____ /

**AFFIDAVIT OF PLAINTIFF REGARDING CDC ORDER
OF SEPTEMBER 1, 2020**

I, _____, being sworn, hereby certify that the following statements are true (initial each statement which applies to this case):

1. _____ I am the landlord in the above-styled case.
2. _____ I have read and am familiar with the Order of the Center for Disease Control and Prevention, filed September 1, 2020, and entitled "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-10) [hereafter, "CDC Rule], which may apply to this eviction proceeding.
3. _____ The tenant in this case HAS FILED a "Declaration" (as defined under the CDC Rule), which prevents the plaintiff from pursuing an eviction at this time.
4. _____ The tenant in this case HAS NOT FILED a "Declaration" (as defined under the CDC Rule), which, if filed, would prevent the plaintiff from pursuing an eviction at this time.
5. _____ I understand that in the event the tenant in this case files a "Declaration" (as defined under the CDC Rule) at any time during the pendency of this eviction action, I must immediately notify this Court that such a Declaration has been filed. I further understand that I must immediately file a copy of the tenant's Declaration with the clerk, and I must transmit a copy of the Declaration to the Court.

Dated this ____ day of _____, 2020.

AFFIANT

STATE OF FLORIDA
COUNTY OF _____.

Sworn to or affirmed and signed before me on _____, 2020, by

_____.

NOTARY PUBLIC or DEPUTY CLERK

_____ Personally known

_____ Produced identification
Type of identification produced: _____.

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY, FLORIDA

Plaintiff

Case # _____
Judge _____

vs.

Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- \$8,000 or less
- \$8,001 - \$30,000
- \$30,001- \$50,000
- \$50,001- \$75,000
- \$75,001 - \$100,000
- over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most

definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence—other
 - Business governance
 - Business torts
 - Environmental/Toxic tort
 - Third party indemnification
 - Construction defect
 - Mass tort
 - Negligent security
 - Nursing home negligence
 - Premises liability—commercial
 - Premises liability—residential
- Products liability
- Real Property/Mortgage foreclosure
 - Commercial foreclosure
 - Homestead residential foreclosure
 - Non-homestead residential foreclosure
 - Other real property actions
- Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Small Claims up to \$8,000
 - Civil
 - Real property/Mortgage foreclosure

- Replevins
- Evictions
 - Residential Evictions
 - Non-residential Evictions
 - Other civil (non-monetary)

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes No

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: []

(Specify)

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- no
- yes If “yes,” list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- yes
- no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: _____
Attorney or Party

FL Bar No.: _____
(Bar number, if attorney)

(Type or print name)

Date: _____

(Form 61)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(insert name of Landlord)

Plaintiff(s)

vs.

(insert name of Tenant)

Defendant(s)

COMPLAINT FOR EVICTION

Plaintiff, _____, sues Defendant, _____
and alleges:

- 1. This is an action to evict a tenant from real property in Duval County, Florida.
- 2. Plaintiff owns the following described real property in said County: _____

(insert street description of rental property including unit number)

- 3. Defendant has possession of the property under (circle one) oral/written agreement to pay rent of \$ _____ payable _____
(insert rental amount) (insert terms of rental payments, i.e., weekly, monthly, etc.)
A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."

- 4. Defendant failed to pay the rent due _____
(insert date of payment tenant has failed to make)

5. Plaintiff served Defendant with a notice on _____ to pay the rent or
(insert date of notice)
deliver possession, but Defendant refuses to do either. A copy of the notice is attached as Exhibit
"B."

WHEREFORE, Plaintiff demands judgment for possession of the property against
Defendant.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

(Form 61 A)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord)

Plaintiff(s)

vs.

(Insert name of Tenant)

Defendant(s)

COMPLAINT FOR EVICTION AND DAMAGES

Plaintiff, _____, sues Defendant, _____,
and alleges:

COUNT 1
Tenant Eviction

1. This is an action to evict a tenant from real property In Duval County, Florida.
2. Plaintiff owns the following described real property in said County: _____

(insert street description of rental property including unit number)

3. Defendant has possession of the property under (circle one) oral/written agreement to pay
rent of \$_____ payable _____
(insert rental amount) (insert terms of rental payments, i. c., weekly, monthly, etc.)
A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."

4. Defendant failed to pay the rent due _____
(insert date of payment tenant has failed to make)

5. Plaintiff served Defendant with a notice on _____ to pay the rent
(insert date of notice)

deliver possession, but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

COUNT II
Damages

6. This is an action for damages that do not exceed \$30,000.

7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.

8. Defendant owes Plaintiff \$_____ that is due with interest
(insert past due rent amount)

since _____
(insert date of lost rental payment tenant failed to make)

9. Additionally, the plaintiff sues for additional unpaid rent that accrues after the file date of this complaint as well as damages that become evident upon inspection of the property and after the defendant is evicted.

WHEREFORE. Plaintiff demands judgment for damages against Defendant.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

(Form 62)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord)

Plaintiff(s)

vs.

(Insert name of Tenant)

Defendant(s)

COMPLAINT FOR EVICTION FOR FAILURE TO COMPLY WITH LEASE
(OTHER THAN FAILURE TO PAY RENT)

Plaintiff, _____, sues Defendant, _____
and alleges:

1. This is an action to evict a tenant from real property in Duval County, Florida.
2. Plaintiff owns the following described real property in said County: _____

(insert legal or street description of rental property including unit number)

3. Defendant has possession of the property under (circle one) oral/written agreement to pay rent of \$ _____ payable _____
(insert rental amount) (insert terms of rental payments, i.e., weekly, monthly, etc)

A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."

4. Plaintiff served Defendant with a notice on _____ giving written
(insert date of notice)
notice to the Defendant that the Defendant was in violation of his rental agreement. A copy of
the notice is attached as Exhibit "B."

5. Defendant has failed to correct or discontinue the conduct set forth in the above-mentioned
notice.

WHEREFORE, Plaintiff demands judgment for possession of the property against
Defendant.

Signature

Name of Landlord/Property Manager
(Circle one)

Address

City, State, Zip Code

Phone Number

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

Plaintiff(s)

VS

Defendant(s)

COMPLAINT FOR COMMERCIAL EVICTION

Plaintiff, _____, sues Defendant, _____ and alleges:

1. This is an action to evict a tenant from real property in Duval County, Florida.
2. Plaintiff owns the following described real property in said County: _____

3. Defendant has possession of the property under (circle one) oral/written agreement to pay rent of \$_____ payable_____. A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."

4. Defendant failed to pay the rent due on _____.

5. Plaintiff served Defendant with a notice to pay the rent on _____ or deliver possession, but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

Signature

Name of Landlord/Property Manager

Address

City, State, Zip Code

Phone Number

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

Plaintiff(s)

VS

Defendant(s)

COMPLAINT FOR COMMERCIAL EVICTION AND DAMAGES

Plaintiff _____, sues Defendant _____,
and alleges:

COUNT 1
Tenant Eviction

1. This is an action to evict a tenant from real property In Duval County, Florida.
2. Plaintiff owns the following described real property in said County: _____
_____.
3. Defendant has possession of the property under (circle one) oral/written agreement to pay
rent of \$ _____ payable _____.
A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."
4. Defendant failed to pay the rent due on _____.
5. Plaintiff served Defendant with a notice to pay the rent on _____ or deliver
possession, but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Plaintiff demands judgment for possession of the property against
_____ Defendant.

COUNT II
Damages

6. This is an action for damages that do not exceed \$30,000.
7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.
8. Defendant owes Plaintiff \$_____ that is due with interest since _____.
9. Additionally, the plaintiff sues for additional unpaid rent that accrues after the file date of this complaint as well as damages that become evident upon inspection of the property and after the defendant is evicted.

WHEREFORE. Plaintiff demands judgment for damages against Defendant.

Signature

Name of Landlord/Property Manager

Address

City, State, Zip Code

Phone Number

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

Plaintiff(s)

VS

Defendant(s)

COMPLAINT FOR EVICTION FOR FAILURE TO COMPLY WITH LEASE
(OTHER THAN FAILURE TO PAY RENT)

Plaintiff _____, sues Defendant _____, and alleges:

1. This is an action to evict a tenant from real property in Duval County, Florida.
2. Plaintiff owns the following described real property in said County: _____

3. Defendant has possession of the property under (circle one) oral/written agreement to pay rent of \$_____ payable _____. A copy of the written agreement, if applicable, is attached hereto as Exhibit "A."
4. Plaintiff served Defendant with a notice on _____. A copy of the notice is attached as Exhibit "B."
5. Defendant has failed to correct or discontinue the conduct set forth in the above-mentioned notice.

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

Signature

Name of Landlord/Property Manager

Address

City, State, Zip Code

Phone Number

(Form 63)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord)

Plaintiff(s)

vs.

(Insert name of Tenant)

Defendant(s)

EVICTIION SUMMONS - RESIDENTIAL

TO: _____

(Insert name of tenant)

(Address)

(Phone number)

PLEASE READ CAREFULLY

You are being sued by _____ to require you to move out of the
(insert Landlord's name)

place where you are living for the reasons given in the attached complaint. You are entitled to a trial to decide whether you can be required to move, but you MUST do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at your home.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

1. Write down the reasons why you think you should not be forced to move. The written reasons must be given to the Court Clerk at Duval County, 501 West Adams Street, Room 1051, Jacksonville, Florida 32202, with signature, phone number and case number on reason.

2. Mail or take a copy of your written reasons to: *(insert Plaintiff's name and address)*

3. Pay to the clerk of the court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over*. If you believe that the amount claimed in the complaint is incorrect, you should file with the clerk of the court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney. **Any payment into the registry of the Court must be tendered by cash, cashier's check or money order made payable to the clerk of court and must be accompanied by payment of the Clerk's registry fee of 3% of the first \$500.00 deposited and 1.5% of each subsequent \$100.00.**

4. **IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE WITHIN FIVE (5) WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.**

5. If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the clerk of the court at the address specified in paragraph (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you or were posted at your home. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

DATED on _____

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

By: _____
As Deputy Clerk

CITATION D'EVICITION/RESIDENTIELLE

LISEZ ATTENTIVEMENT

Vous etes poursuivi par _____ pour exiger que vous evacuez les lieux de votre residence pour les raisons enumerees dans la plainte ci-dessous.

Vous avez droit a un proces pour determiner si vous devez demenager, mais vous devez, au prealable, suivre les instructions enumerees ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un Jour ferie) a partir de la date ou ces documents ont ete donnes a vous ou a la personne vivant avec vous, ou ont ete affichees a votre residence.

LISTE DES INSTRUCTIONS A SUIVRE:

(1) Enumerer par ecrit les raisons pour lesquelles vous pensez ne pas avoir a demenager. Elles doivent etre remises au clerc du tribunal a Duval County Courthouse Jacksonville, Florida.

(2) Envoyer ou donner une copie au: Plaignant/Avocat du Plaignant

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers dus jusqu'a la fin du proces. Si Vous pensez que le montant etabli dans la plainte est incorrect, vous devez presenter au clerc du tribunal une demande en justice pour determiner la somme a payer. Pour cela vous devez attacher a la demande tous les documents soutenant votre position et faire parvenir une copie de la demande au plaignant/avocat du plaignant.

(4) Si vous faites une demande en justice pour determiner la somme a payer au clerc du tribunal, vous devrez immediatement prevenir le bureau de juge qui presidera au proces pour fixer la date de l'audience qui decidera quelle somme doit etre payee au clerc du tribunal pendant que le proces est en cours.

SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE OU CES DOCUMENTS ONT ETE REMIS A VOUS OU A LA PERSONNE HABITANT AVEC VOUS, OU ONT ETE AFFICHES A VOTRE RESIDENCE, VOUS POUVEZ ETRE EXPULSES SANS AUDIENCE OU SANS AVIS PREALABLE

(5) Si la plainte ci-dessus contient une demande pour dommages pecuniaires, tels des loyers arrieres, vous devez y repondre separement. Vous devez enumerer par ecrit les raisons pour lesquelles vous estimez ne pas devoir le montant demande. Ces raisons ecrites doivent etre donnees au clerc du tribunal a l'adresse specifiee dans le paragraphe (1) et une copie de ces raisons donnee ou envoyee au plaignant\avocat du plaignant a l'adresse specifuee dans le paragraphe (2). Cela doit etre fait dans les 20 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence. Cette obligation ne fait pas partie des instructions a suivre en reponse au proces d'eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence.

NOTIFICACION DE DESALOJO/RESIDENCIAL

SIRVASE LEER CON CUIDADO

Usted esta siendo demandado por _____ para exigirle que desaloje el lugar donde reside por los motivos que se expresan en la demanda adjunta.

Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero ES(LOS) NECESARIO que haga TODO lo que se le pide a continuacion en un plazo de 5 dias (no incluidos los sabados, domingos, ni dias feriados) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

USTED DEBERA HACER LO SIGUIENTE:

(1) Escribir el (los) motivo(s) por el (los) cual(es) cree que no se le debe obligar a mudarse. El (Los) motivo(s) debera(n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Jacksonville, Florida.

(2) Enviar por correo o darle su(s) motivo(s) por escrito a: Demandante/Abogado del Demandante

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, asi como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, debera presentarle al secretario del tribunal una mocion para que el tribunal determine el monto que deba pagarse, Si usted presenta una mocion, debera adjuntarle a esta cualesquiera documentos que respalden su posicion, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.

(4) Si usted presenta una mocion para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, debera comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio este pendiente.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESALOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO

(5) Si la demanda adjunta tambien incluye una reclamacion por danos y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted debera responder a dicha reclamacion por separado. Debera exponer por escrito los motivos por los cuales considera que usted no debe la suma. reclamada, y entregarlos al secretario del tribunal en la direccion clue se especifica en el parrafo (1) anterior, asi como enviar por correo o entregar una copia de los mismos al demandante/abogado del demandante en la direccion que se especifica en el parrafo (2) anterior. Esto debera llevarse a cabo en un plazo de 20 dias a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se coloquen en su casa. Esta obligacion es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 dias a partir de la fecha en que estos documentos se le entregaron a Usted o a una persona que vive con usted, o se coloquen en su casa.

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

Plaintiff(s)

VS

Defendant(s)

EVICTION SUMMONS – COMMERCIAL

TO: _____

(Insert name of tenant)

(Address)

(Phone number)

PLEASE READ CAREFULLY

You are being sued by _____ to require you to move out of the place where you are living for the reasons given in the attached complaint. You are entitled to a trial to decide whether you can be required to move, but you MUST do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at your home.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

1. Write down the reasons why you think you should not be forced to move. The written reasons must be given to the Court Clerk at Duval County, 501 West Adams Street, Room 1051, Jacksonville, Florida 32202, with signature, phone number and case number on reason.

2. Mail or take a copy of your written reasons to: *(insert Plaintiff's name and address)*

3. Pay to the clerk of the court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over*. If you believe that the amount claimed in the complaint is incorrect, you should file with the clerk of the court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff(s) attorney. **Any payment into the registry of the Court must be tendered by cash, cashier's check or money order made payable to the clerk of court and must be accompanied by payment of the Clerk's registry fee of 3% of the first \$500.00 deposited and 1.5% of each subsequent \$100.00.**

4. IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE WITHIN FIVE (5) WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

5. If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the clerk of the court at the address specified in paragraph (1) above, and you must mail or give a copy of your written reasons to the plaintiff(s) attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you or were posted at your home. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

DATED on _____

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

By: _____
As Deputy Clerk

CITATION D'EVICITION/RESIDENTIELLE

LISEZ ATTENTIVEMENT

Vous etes poursuivi par _____ pour exiger que vous evacuez les lieux de votre residence pour les raisons enumerees dans la plainte ci-dessous.

Vous avez droit a un proces pour determiner si vous devez demenager, mais vous devez, au prealable, suivre les instructions enumerees ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un Jour ferie) a partir de ladate ou ces documents ont ete donnes a vous ou a la personne vivant avec vous, ou ont ete affichees a votre residence.

LISTE DES INSTRUCTIONS A SUIVRE:

(1) Enumerer par ecrit les raisons pour lesquelles vous pensez ne pas avoir a demenager. Elles doivent etre remises au clerc du tribunal a Duval County Courthouse Jacksonville, Florida.

(2) Envoyer ou donner une copie au: Plaignant/Avocat du Plaignant

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers dus jusqu'a la fin du proces. Si Vous pensez que le montant etabli dans la plainte est incorrect, vous devez presenter au clerc du tribunal une demande en justice pour determiner la somme a payer. Pour cela vous devez attacher a la demande tous les documents soutenant votre position et faire parvenir une copie de la demande au plaignant/avocat du plaignant.

(4) Si vous faites une demande en justice pour determiner la somme a payer au clerc du tribunal, vous devrez immediatement prevenir le bureau de juge qui presidera au proces pour fixer la date de l'audience qui decidera quelle somme doit etre payee au clerc du tribunal pendant que le proces est en cours.

SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE OU CES DOCUMENTS ONT ETE REMIS A VOUS OU A LA PERSONNE HABITANT AVEC VOUS, OU ONT ETE AFFICHES A VOTRE RESIDENCE, VOUS POUVEZ ETRE EXPULSES SANS AUDIENCE OU SANS AVIS PREALABLE

(5) Si la plainte ci-dessus contient une demande pour dommages pecuniaires, tels des loyers arrieres, vous devez y repondre separement. Vous devez enumerer par ecrit les raisons pour lesquelles vous estimez ne pas devoir le montant demande. Ces raisons ecrites doivent etre donnees au clerc du tribunal a l'adresse specifiee dans le paragraphe et une copie de ces raisons donnee ou envoyee au plaignant\avocat du plaignant a l'adresse specifuee dans le paragraphe Cela doit etre fait dans les 20 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence. Cette obligation ne fait pas partie des instructions a suivre en reponse au process d'eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence.

NOTIFICACION DE DESALOJO/RESIDENCIAL

SIRVASE LEER CON CUIDADO

Usted esta siendo demandado por _____ para exigirle que desaloje el lugar donde reside por los motivos que se expresan en la demanda adjunta.

Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero ES(Los) NECESARIO que haga TODO lo que se le pide a continuacion en un plazo de 5 dias (no incluidos los sabados, domingos, ni dias feriados) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

USTED DEBERA HACER LO SIGUIENTE:

(1) Escribir el (los) motivo(s) por el (los) cual(es) cree que no se le debe obligar a mudarse. El (Los) motivo(s) debera(n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Jacksonville, Florida.

(2) Enviar por correo o darle su(s) motivo(s) por escrito a: Demandante/Abogado del Demandante

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, asi como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, debera presentarle al secretario del tribunal una mocion para que el tribunal determine el monto que deba pagarse, Si usted presenta una mocion, debera adjuntarle a esta cualesquiera documentos que respalden su posicion, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.

(4) Si usted presenta una mocion para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, debera comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio este pendiente.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESALOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO

(5) Si la demanda adjunta tambien incluye una reclamacion por danos y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted debera responder a dicha reclamacion por separado. Debera exponer por escrito los motivos por los cuales considera que usted no debe la suma. reclamada, y entregarlos al secretario del tribunal en la direccion clue se especifica en el parrafo (1) anterior, asi como enviar por correo o entregar una copia de los mismos al demandante/abogado del demandante en la direccion que se especifica en el parrafo (2) anterior. Esto debera llevarse a cabo en un plazo de 20 dias a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se coloquen en su casa. Esta obligacion es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 dias a partir de la fecha en que estos documentos se le entregaron a Usted o a una persona que vive con usted, ose coloquen en su casa.

(Form 64)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

(Insert name of Landlord) Plaintiff(s)

CASE NUMBER: _____
DIVISION: _____

vs.

(Insert name of Tenant) Defendant(s)

SUMMONS: COUNT 11 (Damages)
PERSONAL SERVICE ON AN INDIVIDUAL
IMPORTANT

TO: _____

(Name of tenant)

(Address of tenant)

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached Complaint in this Court. A phone call will not protect you. Your written response, including the above case number and named parties, must be filed if you want the Court to hear your case. If you do not file your response on time, you may lose the case and your wages, money, and property may thereafter be taken without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office listed in the phone book.

If you choose to file a written response yourself, you must also mail or take a carbon copy/photocopy of your written response to the "Plaintiff name" named below at the time you file your written response.

Plaintiff name

Address

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE: You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

DATE: _____

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA
By: _____

As Deputy Clerk

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANTE

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis Ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

SI vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nonime ci-dessous.

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

VS. Plaintiff(s)

Defendant(s)

SUMMONS: COUNT II (Damages)
PERSONAL SERVICE ON AN INDIVIDUAL

TO: _____

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached Complaint in this Court. A phone call will not protect you. Your written response, including the above case number and named parties, must be filed if you want the Court to hear your case. If you do not file your response on time, you may lose the case and your wages, money, and property may thereafter be taken without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office listed in the phone book.

If you choose to file a written response yourself, you must also mail or take a carbon copy/photocopy of your written response to the "Plaintiff name" named below at the time you file your written response.

Plaintiff name

Address

THE STATE OF FLORIDA:

TO EACH SHERIFF OF THE STATE: You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above-named Defendant.

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

DATE: _____

By: _____
As Deputy Clerk

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica. Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff 's Attorney" (Demandante o Abogado del Demandante).

IMPORTANTE

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones). Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff 's Attorney" (Plaignant ou à son avocat) nonime ci-dessous.

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

Plaintiff

VS.

Defendant

CERTIFICATE OF MAILING

I, JODY PHILLIPS, Clerk of the Circuit and County Courts, Duval County, Florida, do hereby certify that a copy of the summons and complaint in this cause has been mailed by first class mail to the defendant(s) _____

_____ at _____

_____ the address provided by the landlord, in accordance with Section 48.183) (2), Florida Statutes.

Witness my hand and seal at Jacksonville, Florida and dated this _____ day of _____ 20_____

JODY PHILLIPS
CLERK OF THE CIRCUIT AND COUNTY COURTS
DUVAL COUNTY, FLORIDA

By: _____
Deputy Clerk

OBTAINING YOUR FINAL JUDGMENT FOR RESIDENTIAL EVICTIONS
(COUNT I)

The tenant will have five (5) days after service (this excludes the date of service, Saturday, Sunday and legal holidays) to file a written response to a complaint for eviction. If the tenant fails to file a written response, you are entitled to a final judgment by default. File **ALL** of the following original documents with the clerk no sooner than the 6th business day after service;

- **Form 76** – MOTION FOR CLERK’S DEFAULT – RESIDENTIAL EVICTION
- **Form 78** – MOTION FOR DEFAULT FINAL JUDGMENT – RESIDENTIAL EVICTION
- **Form 81** – NON-MILITARY AFFIDAVIT ****Must be notarized**
- **Form 66** – FINAL JUDGMENT EVICTION – file 1 original and 2 copies (based on one tenant) 1 additional copy required for each additional tenant.
- One self-addressed stamped envelope (no return address).
- One addressed stamped envelope for each tenant (no return address).

If you filed your documents using e-file, it is your responsibility to send proposed final judgment and self-addressed envelopes to the clerk’s office.

Once the judge has signed off on the final judgment, you may then request the clerk to issue a writ of possession for service on the tenant(s) - (if tenant(s) has not already moved from the premises). **See page 46 - fee (Writ) \$7.00.**

OBTAINING YOUR FINAL JUDGMENT FOR DAMAGES FOR RESIDENTIAL EVICTIONS
(COUNT II)

The tenant will have 20 calendar days after service to file a written response to a complaint for back rent and damages. If the tenant fails to file a written response, you are entitled to a final judgment by default. File **ALL** of the following documents with the clerk no sooner than the 21st day after service;

- **Form 77** – MOTION FOR CLERK’S DEFAULT – DAMAGES (RESIDENTIAL EVICTION)
- **Form 79** – MOTION FOR DEFUALT FINAL JUDGMENT – DAMAGES (RESIDENTIAL EVICTION)
- **Form 80** – AFFIDAVIT OF DAMAGES ****Must be notarized.**
- **Form 65** – FINAL JUDGMENT DAMAGES – file 1 original and 2 copies (based on one tenant, 1 additional copy required for each additional tenant).
- One self-addressed stamped envelope for each tenant (no return address).

If you filed your documents using e-file, it is your responsibility to send proposed final judgment and self-addressed envelopes to the clerk’s office.

Once the judge has signed the final judgment, you may request the clerk to issue you a writ of possession for service on tenant(s) - (if tenant(s) has not already moved from the premises). **See page 46 - fee (writ) \$7.00**

NOTE: a copy of forms 79 and 80 must be delivered to the defendant. These forms provide a certificate to be completed by you, establishing proper delivery of the motion and affidavit.

(Form 76)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord) **Plaintiff(s)**

vs.

(Insert name of Tenant) **Defendant(s)**

MOTION FOR CLERK'S DEFAULT - RESIDENTIAL EVICTION

Plaintiff asks the clerk to enter a default against _____, Defendant,
for failing to respond as required by law to plaintiffs complaint for residential eviction.

Plaintiff's Signature

Address

Telephone Number

DEFAULT - RESIDENTIAL EVICTION

A default is entered in this action against the Defendant for eviction for failure to respond as
required by law.

DATE: _____

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

cc: _____
(Insert name of Landlord)

By: _____
As Deputy Clerk

(Insert name of Tenant)

(Insert address of Tenant)

(Form 77)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord) **Plaintiff(s)**

vs.

(Insert name of Tenant) **Defendant(s)**

MOTION FOR CLERK'S DEFAULT - DAMAGES (RESIDENTIAL EVICTION)

Plaintiff asks the clerk to enter a default against _____, Defendant,
for damages for failing to respond as required by law to plaintiffs complaint for damages.

Plaintiff's Signature

Address

Telephone Number

DEFAULT - DAMAGES

A default is entered in this action against the Defendant for damages for failure to respond as
required by law.

DATE: _____

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

cc: _____
(Insert name of Landlord)

By: _____
As Deputy Clerk

(Insert name of Tenant)

(Insert address of Tenant)

(Form 78)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord) **Plaintiff(s)**

vs.

(Insert name of Tenant) **Defendant(s)**

MOTION FOR DEFAULT FINAL JUDGMENT - RESIDENTIAL EVICTION

Plaintiff asks the court to enter a Default Final Judgment against _____,

Defendant, for residential eviction and says:

1. Plaintiff filed a complaint alleging grounds for residential eviction of Defendant.
2. A Default was entered by the Clerk of this Court on _____
(insert date)

WHEREFORE, Plaintiff asks this Court to enter a Final Judgment For Residential Eviction against Defendant.

Plaintiff 's Signature

Address

Telephone Number

cc: _____

(Insert name of Tenant)

(Insert address of Tenant)

(Form 79)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

(Insert name of Landlord) **Plaintiff(s)**

vs.

(Insert name of Tenant) **Defendant(s)**

MOTION FOR DEFAULT FINAL JUDGMENT - DAMAGES

(RESIDENTIAL EVICTION)

Plaintiff asks the court to enter a Default Final Judgment against _____,
Defendant, for damages and says:

1. Plaintiff filed a complaint for damages against the Defendant.
2. Defendant has failed to timely file an answer and a Default was entered by the Clerk of this Court on _____
(insert date)
3. In support of this Motion, Plaintiff submits the attached Affidavit of Damages.

WHEREFORE, Plaintiff asks this Court to enter a Final Judgment against Defendant.

I CERTIFY that I ___ mailed, ___ telefaxed and mailed, or ___ hand delivered a copy of this motion to the Defendant at _____

(insert address at which tenant was served and telefax number if sent by telefax)

Plaintiff's Signature: _____

Address: _____

Telephone Number: _____

(Form 80)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

(Insert name of Landlord) **Plaintiff(s)**

vs.

(Insert name of Tenant) **Defendant(s)**

AFFIDAVIT OF DAMAGES
(Count II)

STATE OF FLORIDA }
COUNTY OF DUVAL }

BEFORE ME, the undersigned authority, personally appeared _____,
[name]

who being first duly sworn, says:

1. I am ___ the Plaintiff or ___ the Plaintiff 's agent (check appropriate response) in this case and am authorized to make this affidavit.

2. This affidavit is based on my own personal knowledge.

3. Defendant has possession of the property which is the subject of this eviction under an agreement to pay rent of \$ _____ per _____.
[rental amount] [week, month, or other payment period]

4. Defendant has not paid the rent due since _____
[date of payment tenant has failed to make]

5. Defendant owes Plaintiff \$ _____ as alleged in the complaint plus
[past due rent amount]
interest.

6. Defendant owes Plaintiff \$ _____ as alleged in the complaint plus
[amount of other damages]
interest.

Signature: _____

Print Name: _____

Acknowledged before me on _____, by _____, who _____ is personally
known to me / _____ produced _____ as identification, and who
_____ did / _____ did not take an oath.

NOTARY PUBLIC-STATE OF FLORIDA

Name: _____

Commission No.: _____

My Commission Expires: _____

I CERTIFY that I _____ mailed, _____ telefaxed and mailed, or _____ hand delivered a copy of this
affidavit to the Defendant at _____

[insert address at which tenant was served and telefax number if sent by telefax]

(Form 81)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

(Insert name of Landlord) **Plaintiff(s)**

vs.

CASE NUMBER: _____

DIVISION: _____

(Insert name of Tenant) **Defendant(s)**

NON-MILITARY AFFIDAVIT

STATE OF FLORIDA }
COUNTY OF DUVAL }

_____ being first duly sworn, states under penalty of perjury:
[print name]

1. That I know of my own personal knowledge that the respondent is not on active duty in the armed forces of the United States.
2. That I have inquired of the armed forces of the United States and the U.S. Public Health Service to determine whether the respondent,
_____ is a member of the armed services and am attaching certificates stating that the respondent is not now in the armed forces.

DATED: _____

Signature of Affiant

Name: _____

Address: _____

Telephone No. _____

Acknowledged before me on _____, by _____ who is personally know to me / _____ produced _____ as identification, and who _____ did / _____ did not take an oath.

NOTARY PUBLIC-STATE OF FLORIDA

Name: _____

Commission No.: _____

My Commission Expires: _____

I CERTIFY that I have mailed, telefaxed and mailed, or hand delivered a copy of this affidavit to Attorney for opposing party/Pro se party at the name and address, telefax number below:

Name: _____

Address: _____

Telefax No.: _____

(Form 66)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

(Insert name of Landlord) Plaintiff(s)

CASE NUMBER: _____

vs.

DIVISION: _____

(Insert name of Tenant) Defendant(s)

FINAL JUDGMENT EVICTION

THIS ACTION came before the Court upon Plaintiff's Complaint for eviction. On the evidence presented, it is

ADJUDGED that the Plaintiff, _____, recover from Defendant, _____, possession of the real property described as follows: _____

(insert street description of rental premises including, if applicable, unit number)

and \$ _____ as court costs, for which let Writs of Possession and Execution now issue.

ORDERED in Jacksonville, Duval County, Florida on _____

cc: _____

COUNTY JUDGE

(Landlord)

(Tenant)

(Form 65)

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

(Insert name of Landlord)

Plaintiff(s)

vs.

CASE NUMBER: _____

DIVISION: _____

(Insert name of Tenant)

Defendant(s)

FINAL JUDGMENT DAMAGES

THIS ACTION came before the Court upon Plaintiff's Complaint for unpaid rent. On the evidence presented, it is

ADJUDGED that the Plaintiff, _____, recover from

Defendant, _____, the sum of \$ _____

with costs in the sum of \$ _____, making a total of \$ _____

that shall bear interest at the legal rate pursuant to section 55.03, Florida Statutes, for which let execution now issue.

ORDERED in Jacksonville, Duval County, Florida on _____.

cc: _____

(Landlord Name and Address)

(Tenant Name and Address)

COUNTY JUDGE

OBTAINING YOUR FINAL JUDGMENT FOR COMMERCIAL EVICTION

(COUNT I)

The tenant will have five (5) days after service (this excludes the date of service, Saturday, Sunday and legal holidays) to file a written response to a complaint for eviction. If the tenant fails to file a written response, you are entitled to a final judgment by default. File **ALL** of the following original documents with the clerk no sooner than the 6th business day after service;

- MOTION FOR CLERK'S DEFAULT – COMMERCIAL EVICTION
- MOTION FOR DEFAULT FINAL JUDGMENT – COMMERCIAL EVICTION
- NON-MILITARY AFFIDAVIT - FORM 81 - (See page 43) ****Must be notarized**
- FINAL JUDGMENT EVICTION – file 1 original and 2 copies (based on one tenant) 1 additional copy required for each additional tenant.
- One self-addressed stamped envelope (no return address).
- One addressed stamped envelope for each tenant (no return address).

If you filed your documents using e-file, it is your responsibility to send proposed final judgment and self-addressed envelopes to the clerk's office.

Once the judge has signed off on the final judgment, you may then request the clerk to issue a writ of possession for service on the tenant(s) - (if tenant(s) has not already moved from the premises). See page 46 - fee (writ) \$7.00.

OBTAINING YOUR FINAL JUDGMENT FOR DAMAGES FOR COMMERCIAL EVICTIONS

(COUNT II)

The tenant will have 20 calendar days after service to file a written response to a complaint for back rent and damages. If the tenant fails to file a written response, you are entitled to a final judgment by default. File **ALL** of the following documents with the clerk no sooner than the 21st day after service.

- MOTION FOR CLERK'S DEFAULT – DAMAGES (COMMERCIAL EVICTION)
- MOTION FOR DEFUALT FINAL JUDGMENT – DAMAGES (COMMERCIAL EVICTION)
- AFFIDAVIT OF DAMAGES ****Must be notarized.**
- FINAL JUDGMENT DAMAGES – file 1 original and 2 copies (based on one tenant, 1 additional copy required for each additional tenant).
- One self-addressed stamped envelope (no return address).
- One self-addressed stamped envelope for each tenant (no return address).

If you filed your documents using e-file, it is your responsibility to send proposed final judgment and self-addressed envelopes to the clerk's office.

Once the judge has signed off on the final judgment, you may then request the clerk to issue a writ of possession for service on the tenant(s) - (if tenant(s) has not already moved from the premises). See page 46 - fee (writ) \$7.00.

NOTE: a copy of Motion for Default Final Judgment and Affidavit of Judgment must be delivered to the defendant. These forms provide a certificate to be completed by you, establishing proper delivery of the motion and affidavit.

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

vs. Plaintiff

Defendant

MOTION FOR CLERK'S DEFAULT - COMMERCIAL EVICTION

Plaintiff asks the clerk to enter a default against _____,
Defendant, for failing to respond as required by law to plaintiff's complaint for residential
eviction.

Plaintiff(s) Signature

Address

Telephone

DEFAULT - COMMERCIAL EVICTION

A default is entered in this action against the Defendant for eviction for failure to respond as
required by law.

Date: _____

cc: _____

(Landlord Name and Address)

(Tenant Name and Address)

JODY PHILLIPS
CLERK OF THE COURT
DUVAL COUNTY, FLORIDA

By: _____
As Deputy Clerk

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

Plaintiff(s)

vs.

Defendant(s)

MOTION FOR DEFAULT FINAL JUDGMENT - COMMERCIAL EVICTION

Plaintiff asks the court to enter a Default Final Judgment against _____,
Defendant, for residential eviction and says:

1. Plaintiff filed a complaint alleging grounds for residential eviction of Defendant.
2. A Default was entered by the Clerk of this Court on _____.

WHEREFORE, Plaintiff asks this Court to enter a Final Judgment for Residential Eviction
against Defendant.

cc: _____

(Landlord Name and Address)

(Tenant Name and Address)

Plaintiff(s) Signature

UNLAWFUL DETAINER FORMS AND INSTRUCTIONS

UNLAWFUL DETAINER FORMS AND INSTRUCTIONS

Unlawful Detainer is a county court lawsuit filed pursuant to Florida Statute Chapter 82 requesting that another person be ordered to leave your property. It is similar to an eviction proceeding except that in an Unlawful Detainer case, there is **no landlord/tenant relationship** between the parties, i.e. there is **no agreement to pay rent**, either verbal or in writing. If there is an agreement to pay rent you should consider filing an eviction case. Consult with an attorney if you are not sure.

The Unlawful Detainer should be used if:

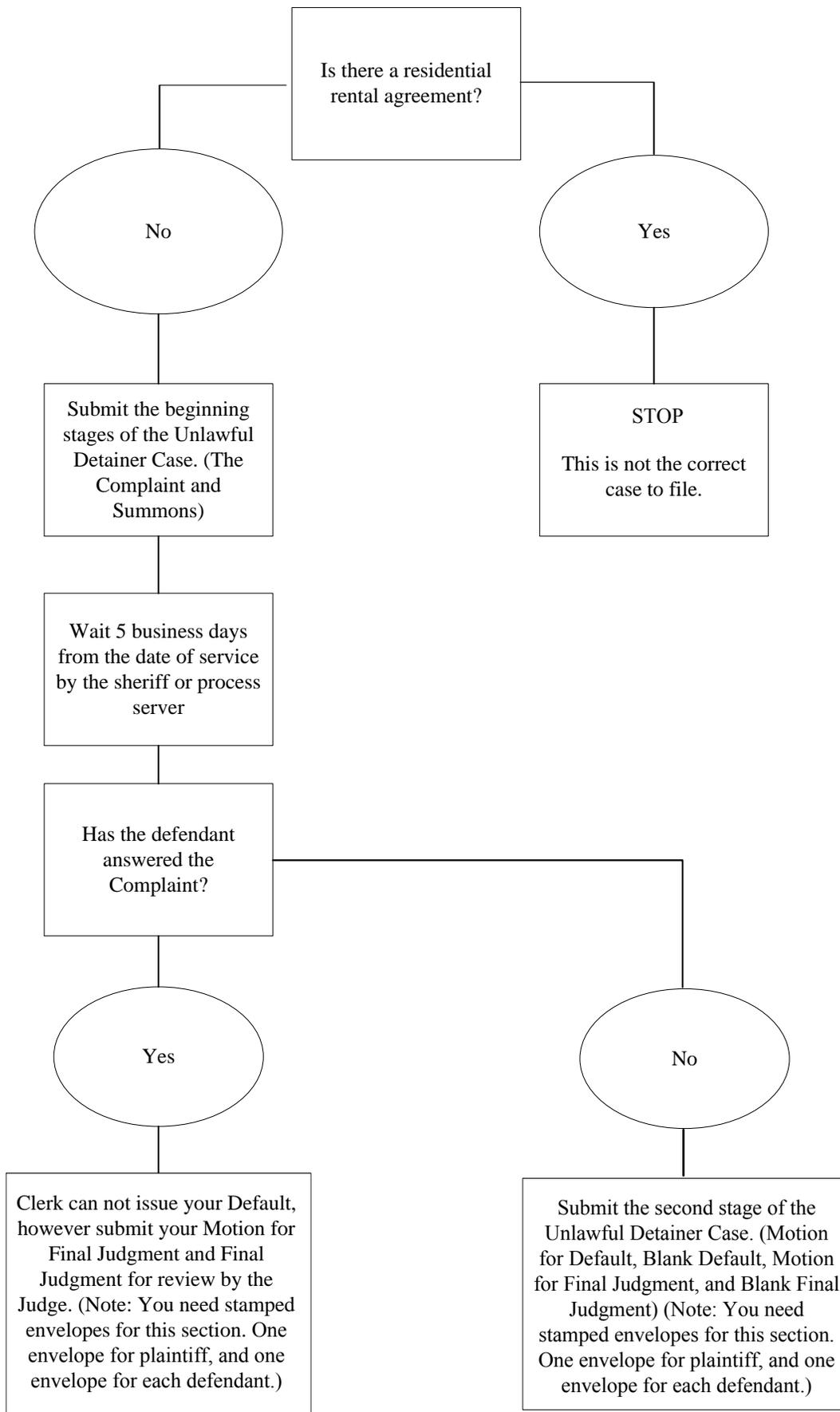
- 1) You are trying to remove someone from your home, and
- 2) You have a legal right to reside in your home (You are the owner or the legal tenant), and
- 3) The person you are trying to remove does not have a legal right to reside in your home (they are not an owner or a legal tenant), and
- 4) There is no agreement for rent (verbal or in writing) between you and the person you are trying to remove.

The attached forms are designed for your use in the event there is no landlord/tenant relationship. They should be used if there is no residential lease or verbal agreement for rent. If you have a residential, commercial, agricultural, or personal property lease, you should consult with an attorney. No form should be used until you have carefully reviewed and understand the instructions preceding the form and reviewed Florida Statutes 82.

At the time the complaint is filed, the plaintiff must ask the clerk of the court to issue summons. This is achieved by filing the completed summons with the Complaint for Unlawful Detainer.

If the court rules that the plaintiff is entitled to have the defendant removed from the property, the court will sign a judgment in the plaintiff's favor. Once a plaintiff receives a final judgment for Unlawful Detainer, he/she must ask the clerk of the court to execute a Writ of Possession. The Writ of Possession should be delivered to the sheriff by the plaintiff for service on the defendant.

Unlawful Detainer Flow Chart



UNLAWFUL DETAINER CASES

FILING FEES AND COSTS

\$300.00 + \$10.00 FOR EACH SUMMONS ISSUED + \$2.50 EA> 5 DEFENDANTS.

No Personal checks accepted. We only accept cash, cashier's checks, credit cards, and money orders made payable to Clerk of Courts. See Sheriff's Department for service information.

The following list **All** of the items that **MUST** be provided to the Clerk when filing your case:

FOR ONE DEFENDANT

- 1 Civil Cover Sheet
- 1 original & 2 copies of the Complaint for Unlawful Detainer. (one copy will be returned to you with the case number.)
- 2 copies of the Summons
- ****Mandatory**** 2 copies of French/Spanish

FOR TWO DEFENDANTS

- 1 Civil Cover Sheet
- 1 original & 4 copies of the Complaint for Unlawful Detainer, (one copy will be returned to you with the case number.)
- 4 copies of the Summons
- ****Mandatory**** 4 copies of French/Spanish

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

vs.

Plaintiff(s)

Defendant(s)

COMPLAINT FOR UNLAWFUL DETAINER

Plaintiff(s), _____, sue(s) Defendant(s), _____

_____, stating as follows:

1. This is a cause of action for unlawful detainer pursuant to Chapter 82, Florida Statutes.

2. Plaintiff(s) is/are entitled to possession of the following real property (address or legal description):

3. Plaintiff(s) is/are entitled to possession of the real property by virtue of the following:

4. With the consent of Plaintiff(s), Defendant(s) occupied or otherwise made use of the property described in Paragraph 2 above.

5. On or about (date) _____, Plaintiff(s) revoked this consent, informed Defendant(s) of this revocation, and demanded that Defendant(s) vacate the premises.

6. Defendant(s), however, has/have refused to vacate the premises.

7. There is no residential rental agreement between Plaintiff(s) and Defendant(s).

8. In accordance with section 82.04(1), Florida Statutes, Plaintiff(s) is/are entitled to summary procedure under section 51.011, Florida Statutes.

WHEREFORE, Plaintiff(s) respectfully request(s) that the Court (1) find that Defendant(s) wrongfully hold(s) possession of the subject property; (2) grant final judgment in favor of Plaintiff(s) and against Defendant(s); (3) order the issuance of a Writ of Possession in accordance with section 82.091, Florida Statutes; and (4) grant to the Plaintiff(s) such other relief as is justified by the circumstances in this case.

Date: _____

Plaintiff(s) Signature

Plaintiff(s) Printed Name

Plaintiff Address

Plaintiff City, State, Zip Code

Plaintiff Telephone Number

A TODOS Y SINGULAR LOS ALGUACILES DEL ESTADO DE LA FLORIDA:

USTED se manda a servir a esta convocatoria y una copia de la queja en el anterior estilo causa a los demandados (S): cuyo nombre y la dirección es:

AL ACUSADO (S):

USTED debe enviar o entregar el original de su escrito respuesta y defensas a la denuncia se adjunta a la Secretaria del Condado Tribunal, 501 West Adams Street, Jacksonville, FL 32202 o cualquiera de las oficinas satélite ubicadas en el Condado de Duval y una copia al demandante o abogado del demandante que nombre y la dirección es:

SERVICIO PERSONAL: Si esta convocatoria y una copia de la denuncia han recibido personalmente a usted o a cualquier persona que reside en su residencia de 15 años de edad o más, su escrito respuesta y defensas deben recibirse en la Secretaria dentro de 5 días de trabajo de servicio como a la reclamación de posesión de los locales.

SERVICIO de correo publicado: Si esta convocatoria y una copia de la denuncia han sido conectados a un lugar en su residencia, su escrito respuesta y defensas deben recibirse en la Secretaria dentro de 5 días hábiles de la fecha que fue fijado en algún lugar visible la propiedad descrita en la denuncia. La fecha de publicación es la fecha que se señaló al respecto el proceso de servidor.

Un defecto puede introducirse contra usted y un juicio para desalojarlo de la propiedad o los gastos razonables y honorarios de abogado pueden entrar sin aviso a usted, si usted no sigue estas instrucciones.

TO ALL et singulier la shérifs de l'état de Floride : Vous est commandé de servir cette convocation ainsi qu'une copie de la plainte dans ce qui précède le titre cause sur les défendeurs (S) : dont les nom et adresse est :

Au défendeur(S) :

vous devrez poster ou remettre l'original de votre réponse écrite et DÉFENSES à l'attaché de plainte auprès du greffier de la Cour de comté, la 501 West Adams Street, Jacksonville, FL. 32202 ou l'un des bureaux satellites situés dans le comté de Duval et une copie au demandeur ou la demanderesse procureur dont le nom et adresse est :

SERVICIO de correo publicado : Si esta convocatoria y una copia de la denuncia han sido conectados una ONU lugar en su residencia, escrito de su respuesta y defensas deben recibirse la de fr Secretaria dentro de 5 días hábiles de la fecha Québec fue fijado en algún lugar visible la Propiedad descrita fr la denuncia. La fecha de publicación es la fecha que se señaló al respecto el proceso de servidor. Un defecto puede introducirse contra usted y un juicio para desalojarlo de la propiedad o los gastos razonables y honorarios de abogado pueden entrar ne sin aviso a usted, si usted aucun sigue estas instrucciones.

OBTAINING YOUR FINAL JUDGMENT FOR UNLAWFUL DETAINER

The defendant will have five (5) days after service (this excludes the date of service, Saturday, Sunday, and legal holidays) to file a written response to a complaint for unlawful detainer. If the defendant fails to file a written response, you are entitled to a final judgment by default. File **ALL** of the original documents with the clerk no sooner than the 6th business day after service;

- MOTION FOR CLERK'S DEFAULT – UNLAWFUL DETAINER
- MOTION FOR DEFAULT FINAL JUDGMENT – UNLAWFUL DETAINER
- NON-MILITARY AFFIDAVIT - FORM 81 - (See page 43) *****Must be notarized***
- FINAL JUDGMENT EVICTION – file 1 original and 2 copies (based on one tenant) 1 additional copy required for each additional tenant.
- One self-addressed stamped envelope (no return address).
- One addressed stamped envelope for each tenant (no return address).

If you filed your documents using e-filing, it is your responsibility to send proposed final judgment and self-addressed envelopes to the clerk's office.

Once the judge has signed off on the final judgment, you may then request the clerk to issue a writ of possession for service on the defendant(s) – (if defendant(s) have not already moved from the premises.) **See page 46 fee (Writ) \$7.00.**

NOTE: a copy of Motion for Default Final Judgment must be delivered to the defendant. These forms provide a certificate to be completed by you, establishing proper delivery of the motion.

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

vs. Plaintiff(s)

Defendant(s)

DEFAULT
UNLAWFUL DETAINER

A default is entered in this action against the defendant(s), named in the foregoing motion, for failure to serve or file any paper as required by law.

Dated on the _____ day of _____, 20____.

JODY PHILLIPS
Clerk of the Circuit and County Court
Duval County, Florida

Deputy Clerk

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____

DIVISION: _____

vs.

MOTION FOR FINAL JUDGMENT – UNLAWFUL DETAINER

Plaintiff asks the court to enter a Final Judgment against _____
Defendant(s), for unlawful detainer and says:

1 . Plaintiff filed a complaint alleging grounds for unlawful detainer against the Defendant(s).

WHEREFORE, Plaintiff asks this Court to enter a Final Judgment for Unlawful Detainer against
the Defendant(s).

Plaintiff(s) Signature

Plaintiff(s) Printed Name

Plaintiff Address

Plaintiff City, State, Zip Code

Plaintiff Telephone Number

IN THE COUNTY COURT, FOURTH
JUDICIAL CIRCUIT IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: _____
DIVISION: _____

vs.

JUDGMENT FOR POSSESSION
(UNLAWFUL DETAINER)

THIS CAUSE was considered by the Court upon the Plaintiff's COMPLAINT FOR UNLAWFUL DETAINER from the premises described in the Complaint, and it appears that Defendant(s) was/were duly served with Notice and process as required by law and:

_____ Defendant(s) failed to file any pleading contesting the allegations of the Complaint and a default has been entered by the Clerk.

_____ The Court has taken testimony or received Affidavits from the Plaintiff(s).

IT IS THEREFORE ordered by the Court that a Judgment be and is hereby entered against the Defendant(s), and that the Plaintiff(s) does/do have and recover of and from the Defendant(s),

_____, possession of the premises situated in the County of _____, State of Florida described as: _____

_____ and the Clerk of this Court shall issue a Writ of Possession under the Seal of this Court directed to the Sheriff of Duval County, Florida, describing the premises and commanding him to put the Plaintiff(s), in possession of the premises.

WRIT OF POSSESSION SHALL:

_____ issue upon signing of this Judgment.

_____ not issue for ten (10) days from date of this Judgment.

Plaintiff is awarded Court costs in the amount of \$_____ for which let execution issue with interest at _____% per annum in accordance with section 55.03, Florida Statutes. The Court may reserve jurisdiction to enter a money judgment against the Defendant(s) in accordance with section 83.625, Florida Statutes, if applicable.

DONE AND ORDERED in Duval, Florida, this _____ day of _____, 20_____.

COUNTY JUDGE

cc:

Plaintiff Address

Defendant Address

