
Plaintiff(s)/Landlord(s) (Actual Landlord)

v.

List all Defendant(s)/Tenant(s) for which eviction is sought

COMPLAINT for EVICTION

§ **In the Justice Court**
§
§ **Precinct 1, Place 1**
§
§ **County of Grayson**
§
§ **State of Texas**

Monthly rent amount is: _____

(For all addresses, you **MUST** include number, street, apartment number, city, state, & zip code.)

Plaintiff, being duly sworn on oath, files this written complaint against the above named Defendant(s) to evict Defendant(s) from Plaintiff's premises, which is located in Justice of the Peace Precinct 1 of Grayson County and which is **described as**:

Phone: _____ FAX: _____

Plaintiff requests service of citation by personal service at the previously described premises or by alternate service, if necessary, under Rule 742 or 742a.

Any work or **other known addresses** for the Defendant(s) known to Plaintiff are as follows:

Phone: _____ FAX: _____

Plaintiff and Defendant(s) have established a **landlord tenant** relationship by: (check one) a written lease or agreement, an oral agreement, occupancy after foreclosure sale, occupancy after contract for deed default, (other) _____

Grounds for eviction are: (check) non-payment of rent, holding over, non-rent default by (describe default) _____

Written **notice to vacate** for the grounds stated above was delivered to Defendant(s) at the above described premises on the _____ day of _____, 20____, (check) in person to the tenant(s). in person to an occupant at least sixteen years of age. by mail. by affixing to the **inside** of the main entry door. (other) _____

Thereafter Defendant(s) failed to surrender possession of the above described premises by the date specified in the **notice to vacate** thereby committing a **forcible detainer**.

Plaintiff requests judgment for Plaintiff(s) against Defendant(s) for possession of the above described premises, for writ of possession, plus \$ _____ rent due through today, plus accruing rent at the **daily rate** of \$ _____ per day until the date of judgment, plus reasonable attorney fees in the amount of \$ _____, plus all costs of court, plus post-judgment interest at the highest legal rate.

I give my consent for the answer and any other motions or pleadings to be sent to my email address which is: _____

Defendant/Tenant Information:

DL# _____
D.O.B. _____/_____/_____
SEX _____
RACE _____

X _____
Landlord, Landlord's authorized Agent, or Landlord's Attorney
(if Attorney) Bar Card Number _____

Address _____

Phone (____) _____ FAX (____) _____

SWORN to and SUSCRIBED before me this _____ day of _____, 20____.

(Seal)

(Notary or Clerk of Court) _____

General Procedures for Filing an Eviction for Non-Payment of Rent

Justice of the Peace, Pct. 1
200 S. Crockett, Sherman, TX 75090
(903) 813-4346 main (903) 893-9264 fax
Hours of Operation: 8:00 A.M. – 4:30 P.M. Monday - Friday

1. The tenant must have already failed to pay the rent as agreed. The Landlord cannot refuse to accept rent and thereafter claim rent was not paid.
2. The landlord must deliver a written “**Notice to Vacate**” or “**Demand for Possession**” naming each occupant the landlord seeks to evict from the premises. The notice must give the reason for demanding possession. The written notice must give the tenant time to vacate voluntarily. The time to vacate in the notice must be at least (3) three days, unless the landlord and tenant have agreed to a greater or lesser than three day time period in a written lease or agreement.
3. Delivery of the notice must be accomplished by one of the following methods:
 - A. **Handed to a tenant in person.** (Or anyone living at the premise that is at least 16 years old.)
 - B. **Mailed to the tenant** (if mailed the landlord must wait an additional (2) two days to allow for delivery of mail before filing for eviction.)
 - C. **Attached to the inside of the main entry door.**
4. After the notice is delivered, wait until after the notice period expires, then go to the Justice of the Peace Court in the precinct where the property is located to file a written “**sworn complaint**” for eviction. The court will determine who has a greater right to possession of the property. Forms for filings are available online or at the Justice Court Office.

(Sample wording for the “Notice to Vacate for Non-Payment of Rent)

Dear _____, (Name all Tenants)

Today is the _____ day of _____, 20__.

The rent has not been paid. I demand possession of my rental property. This is a notice that you vacate the premises by _____, 20__ or I will file an eviction suit with a Justice of the Peace Court.

_____, (Landlord)

Official Department of Defense Servicemembers Civil Relief Act (website):

www.dmdc.osd.mil/appj/scra/scrahome.do When it says “There is a problem with this website’s Certificate” click on “continue to this website”. **THIS WEBSITE IS FREE OF CHARGE!!! You do not need to pay for this information.**

Proper attire will be required for all hearings before the court.

Cost including service, one defendant: \$121.00. Cost for each additional defendant is \$80.00. Writ of Possession is \$155.00.

IF YOU WISH TO INTRODUCE ANY WRITTEN EVIDENCE, YOU MUST PROVIDE COPIES OF EACH DOCUMENT TO THE COURT AND THE OPPOSING PARTY.

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): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties]
Address: _____	Fax: _____	
City/State/Zip: _____	State Bar No: _____	
Email: _____		
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 \$10,000, 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 \$10,000, 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 \$10,000, 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	