PACKET FEE $10.00

EVICTION PACKET-7 DAY (WITH CURE)

COMPLETE BOTH 7-DAY NOTICES, POST ONE ON THE DOOR OF THE PROPERTY YOU WISH THE PERSON TO BE EVICTED FROM AND KEEP ONE FOR YOUR RECORDS TO ATTACH TO YOUR COMPLAINT.

ONCE THE 7 BUSINESS DAYS (EXLUDING WEEKENDS AND HOLIDAYS) HAVE PASSED, COMPLETE THE ATTACHED COMPLAINT FOR EVICTION AND A SUMMONS FOR EACH DEFENDANT LISTED ON THE COMPLAINT.

ONCE YOU HAVE COMPLETED YOUR COMPLAINT FOR EVICTION AND SUMMONS(ES), BRING THE ORIGINAL AND 2 COPIES OF EACH TO THE CLERK OF COURTS OFFICE ALONG WITH A FILING FEE OF $185.00 PLUS $10.00 PER PERSON YOU WISH TO HAVE EVICTED. ONCE YOUR CASE IS FILED WITH THE CLERK, YOU MUST HIRE A PROCESS SERVER OR THE SHERIFF'S OFFICE AND HAVE THE DEFENDANT(S) SERVED WITH YOUR COMPLAINT. ***There are additional steps if served by Posted Residential-see part II for instructions. This can be done at the time of filing.

IF THE CLERK PREPARES YOUR SUMMONS, THAT WILL BE AN ADDITIONAL $7.00 PER DOCUMENT. IF THE CLERK PRINTS COPIES OF YOUR PAPERWORK IT IS $1.00 PER PAGE THAT IS PRINTED

OPTION 1: YOU COMPLETE THE ATTACHED SUMMONS (for each defendant)
YOUR TOTAL FILING FEES WILL BE AS FOLLOWS: (this does not include the cost of copies):

- $185.00-EVICTION FILING FEE
- $10.00-SIGNING AND SEALING OF SUMMONS ($10.00 FOR EACH DEFENDANT)

YOUR TOTAL TO BEGIN THE EVICTION PROCESS (does not include the cost of copies):

- 1 DEFENDANT= $195.00 TO THE CLERK OF COURT
- 2 DEFENDANTS= $205.00 TO THE CLERK OF COURT

Each defendant will increase the filing fee by $10.00.
If you get to the point of eviction, you will have a fee payable to the sheriff's office for $90.00 to have the Writ of Possession served on the tenant(s).

OPTION 2: THE CLERK PREPARES YOUR SUMMONS (for each defendant),
YOUR FILING FEES WILL BE AS FOLLOWS (this does not include the cost of copies):

- $185.00-EVICTION FILING FEE
- $10.00-SIGNING AND SEALING OF SUMMONS ($10.00 FOR EACH DEFENDANT)
- $7.00- CLERK PREPARATION OF SUMMONS ($7.00 FOR EACH DEFENDANT)

YOUR TOTAL TO ***BEGIN*** THE EVICTION PROCESS (does not include the cost of copies):

- 1 DEFENDANT=$202.00 TO THE CLERK OF COURT
- 2 DEFENDANTS=$219.00 TO THE CLERK OF COURT

Each defendant will increase the filing fee by $17.00.

If you get to the point of eviction, you will have a fee payable to the sheriff's office for $90.00 to have the Writ of Possession served on the tenant(s).

*****INFORMATION OR FORMS PROVIDED BY THE CLERK OF COURT SHOULD BE CONSIDERED AS BASIC INFORMATION ONLY AND MAY NOT BE APPLICABLE IN 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.*****

PART I

POST NOTICE ON DOOR OR DELIVER TO TENANT(S)
KEEP A COPY FOR YOUR RECORD TO ATTACH TO COMPLAINT
ONCE THE TIME HAS PASSED ON THE NOTICE, PROCEED TO PART II

NOTICE FROM LANDLORD TO TENANT NOTICE OF NONCOMPLIANCE FOR MATTERS OTHER THAN FAILURE TO PAY RENT (7 Day Notice to Cure)

DATE: _____

TO: _____
(NAME OF TENANT)

ADDRESS: _____
(STREET ADDRESS)

_____
(CITY, STATE, ZIP CODE)

PHONE: _____

You are hereby notified that you are not complying with your rental agreement in that

_____

_____

_____

[insert noncompliance, default or violation]. Demand is hereby made that you remedy the noncompliance, default or violation within seven days of receipt of this notice or your rental agreement 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, default or violation.

_____

Landlord's Name _____

Address

_____

_____

PHONE: _____

Approved for use under rule 10-2.1(a) of
the Rules Regulating The Florida Bar

The Florida Bar 2010

This form was completed with the assistance of:
Name:
Address:
Phone:

NOTICE FROM LANDLORD TO TENANT NOTICE OF NONCOMPLIANCE FOR MATTERS OTHER THAN FAILURE TO PAY RENT (7 Day Notice to Cure)

DATE: _____

TO: _____
(NAME OF TENANT)

ADDRESS: _____
(STREET ADDRESS)

_____
(CITY, STATE, ZIP CODE)

PHONE: _____

You are hereby notified that you are not complying with your rental agreement in that

_____

_____

_____

[insert noncompliance, default or violation]. Demand is hereby made that you remedy the noncompliance, default or violation within seven days of receipt of this notice or your rental agreement 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, default or violation.

_____

Landlord's Name _____

Address

_____

_____

Phone Number _____

Approved for use under rule 10-2.1(a) of
the Rules Regulating The Florida Bar

The Florida Bar 2010

This form was completed with the assistance of:
Name:
Address:
Phone:

PART II

- COMPLETE COMPLAINT AND A SUMMONS FOR EACH DEFENDANT LISTED ON THE COMPLAINT. ATTACH LEASE AGREEMENT AND COPY OF 7 DAY NOTICE TO YOUR COMPLAINT AND FILE AT THE CLERK'S OFFICE WITH APPROPRIATE FILING FEES.
- TAKE YOUR PAPERWORK TO THE SHERIFF'S OFFICE OR HIRE A PROCESS SERVER TO SERVE SUMMONS ON TENANT(S) (FEES ARE DUE TO WHOMEVER YOU CHOOSE TO USE)
- IF TENANT(S) CANNOT PERSONALLY BE SERVED AFTER TWO ATTEMPTS AND SERVES BY POSTING AT THE RESIDENCE, YOU MUST BRING IN A COPY OF THE COMPLAINT AND SUMMONS AND A PRE-ADDRESSED STAMPED ENVELOPE TO BE MAILED BY THE CLERK TO THE DEFENDANT. (This can be done at the beginning when you file your case if you prefer.)
- WAIT 5 BUSINESS DAYS AFTER SERVICE (NOT INCLUDING WEEKENDS OR HOLIDAYS)
- CONTACT THE CLERK TO SEE IF TENANT(S) HAS RESPONDED TO THE COMPLAINT.
- PROCEED WITH PART III

***If at any time after filing the complaint for eviction, you accept rent or no longer wish to pursue the eviction, complete the attached Letter of Voluntary Dismissal and file with the clerk's office.

IN THE COUNTY COURT, IN AND FOR
JACKSON COUNTY, FLORIDA

CASE NO:_____
(Insert case number assigned by Clerk)

_____,
(Insert name of Landlord)

_____,
(Insert name of Landlord) Plaintiff(s) ,

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

-VS-

_____,
(Insert name of Tenant)

_____,
(Insert name of Tenant) Defendant(s) ,

Plaintiff, _____, sues Defendant(s), _____,
(Insert name of Landlord) (Insert name of Tenant)

and alleges:

1. This is an action to evict a tenant from real property in Jackson County, Florida.

2. Plaintiff owns the following described real property:

_____

_____.
(Insert legal or street description of rental property including, if applicable, unit number)

3. Defendant has possession of the property under a/an (oral/written) agreement to pay rent of $_____payable

_____.
(Rental Amount) (Insert terms of rental payments, i.e. weekly, monthly, etc.)

A copy of the written agreement, if any, is attached 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/her rental agreement. A copy of said notice, setting forth the violations of the rental agreement, is attached hereto 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

_____
Home Telephone Number

_____
Other Telephone Number

STATE OF FLORIDA
IN THE COUNTY COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR JACKSON COUNTY FLORIDA

_____
Plaintiff,
-vs Case Number:_____

_____
Defendant

TO : **DEFENDANT'S NAME:** _____
DEFENDANT'S ADDRESS: _____

EVICTION SUMMONS - RESIDENTIAL
PLEASE READ CAREFULLY

You are being sued by **(LANDLORD'S NAME)** _____
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 legal holidays) after the date these papers were given to you or to a person who lives with you or were posted at your residence.
THE THINGS YOU MUST DO ARE AS FOLLOWS:

1. Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the:

   JACKSON COUNTY CLERK OF COURT
   4445 LAFAYETTE STREET
   MARIANNA FL 32446

2. Mail or take a copy of your written reason(s) to: (LANDLORD'S NAME AND ADDRESS)_____
   _____
3. Pay to the clerk of the court the amount of rent into the court registry (*cash, certified or cashier's check or money order payable to the Clerk of Court*) that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over (*together with the court registry fee of 3% of the first $500.00, and 1.5% of the balance due which is nonrefundable*). 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.
4. If you file a motion to have the court determine the amount of rent to be paid to the clerk of the court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the clerk of the court while the lawsuit is pending.

IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE WITHIN 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 RESIDENCE, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

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 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 residence. 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 residence.

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 the **_____day of _____, 20____.**

CLAYTON O. ROOKS, III
CLERK OF CIRCUIT & COUNTY COURTS

By:_____
Deputy Clerk

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISSTANCE. PLEASE CONTACT THE ADA COORDINATOR BY MAIL AT P.O. BOX 1089, PANAMA CITY, FL 32401 OR BY PHONE AT (850) 747-5338 AT LEAST SEVEN (7) DAYS BEFORE YOUR SCHEDULED COURT APPEARANCE OR IMMEDIATELY UPON RECEIVING THIS NOTIFICATION IF THE TIME BEFORE THE SCHEDULED APPEARANCE IS LESS THAN SEVEN (7) DAYS. IF YOU ARE HEARING OR VOICE IMPAIRED, PLEASE CALL 711.

PART III

- If the tenant(s) files a response, it is sent to the Judge for review. The Judge will either set for a hearing or issue a Judgment of Eviction. If it is set for a hearing, the clerk will notify all parties of the hearing date and time via mail.
- If the tenant is served by posting at residence, you will need to bring a copy of the summons and complaint and a stamped, addressed (to the tenant(s)) envelope for the clerk to mail to the tenant(s). *1 copy and envelope for each tenant*(This can be done at the beginning of your case).
- If the tenant fails to respond 5 business days after personal service or after Clerk's certificate of mailing date, you will need to complete the attached Default Papers and file them with the clerk's office.
- Once the Judge signs a Final Judgment of Eviction, you may attempt to have them leave based on the order or go ahead to Part IV.
- If the tenant still refuses to leave, continue to Part IV.

*** If at any time after filing the complaint for eviction, you accept rent or no longer wish to pursue the eviction, complete the attached Letter of Voluntary Dismissal and file with the clerk's office.

IN THE COUNTY COURT, IN AND FOR
_____ COUNTY, FLORIDA

[insert county in which rental property is located]

_____
[insert name of Landlord]

CASE NO. _____
[insert case number assigned by Clerk of the Court]

Plaintiff,

vs.

MOTION FOR CLERK'S DEFAULT – RESIDENTIAL EVICTION

_____
[insert name of Tenant]

/

Defendant.

Plaintiff asks the Clerk to enter a default against _____ [name], Defendant, for failing to respond as required by law to Plaintiff's Complaint for residential eviction.

_____
Name: _____
Address: _____
_____
Telephone No. _____

DEFAULT - RESIDENTIAL EVICTION

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

DATE: _____

CLERK OF THE COURT

By: _____
Deputy Clerk

cc: _____
[insert name of Landlord]

_____
[insert name and address of Tenant]

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This form was completed
with the assistance of:
Name:
Address:
Telephone Number:

IN THE COUNTY COURT, IN AND FOR

_____ COUNTY, FLORIDA
[insert county in which rental property is located]

_____
[insert name of Landlord]

CASE NO. _____

Plaintiff,

vs.

NONMILITARY AFFIDAVIT

_____
[insert name of Tenant]

Defendant. /

On this day personally appeared before me, the undersigned authority, _____, who, after being first duly sworn, says:

Defendant, _____, is known by Affiant not to be in the military service or any governmental agency or branch subject to the provisions of the Soldiers' and Sailors' Civil Relief Act.

DATED: _____

_____
Signature of Affiant
Name: _____
Address: _____
_____
Telephone No. _____

Sworn and subscribed before me on _____ [date], by _____ [name], who _____ is personally known to me _____ produced _____ [document] as identification and who took an oath.

_____
NOTARY PUBLIC-STATE OF FLORIDA
Name: _____
Commission No. _____
My Commission Expires: _____

I CERTIFY that I ____ mailed, ____ faxed and mailed, or ____ hand delivered a copy of this motion and attached affidavit to the Defendant at _____ [insert address at which Tenant was served and fax number if sent by fax].

Name _____
Address _____
Fax No. _____

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The Florida Bar 2010

This form was completed
with the assistance of:
Name:
Address:
Telephone Number:

IN THE COUNTY COURT, IN AND FOR
JACKSON COUNTY, FLORIDA

[insert name of Landlord]

CASE NO. _____
[insert case number assigned by Clerk of the Court]

Plaintiff,

vs.

MOTION FOR DEFAULT FINAL– JUDGMENT - RESIDENTIAL EVICTION

[insert name of Tenant] /

Defendant.

Plaintiff asks the Clerk to enter a default against _____ [name], Defendant, for failing to respond as required by law to Plaintiff's Complaint for damages.

1. Plaintiff filed a Complaint alleging grounds for residential eviction of Defendant.

2. A Default was entered by the Clerk of this Court on _____ [date].

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

Name: _____
Address: _____
_____
Telephone No. _____

cc: [insert name and address of Tenant]

Approved for use under rule 10-2.1(a) of the Rules Regulating The Florida Bar

The Florida Bar 2010

This form was completed with the assistance of:
Name:
Address:
Telephone Number:

PART IV

- Complete the attached Writ of Possession and bring to the clerk's office to be issued. (YOU CAN DO THIS IN PART III)
- You will then send or take the Writ of Possession to the Sheriff's office for them to physically remove the tenant(s) from the property. (The Sheriff's fee for this service is $90.00)
- Once the Sheriff's office assists with tenant removal, you will regain possession of your property.

*** If at any time after filing the complaint for eviction, you accept rent or no longer wish to pursue the eviction, complete the attached Letter of Voluntary Dismissal and file with the clerk's office.

IN THE COUNTY COURT, IN AND FOR
JACKSON COUNTY, FLORIDA

_____
[insert name of Landlord]

Plaintiff,

CASE NO. _____
[insert case number assigned by Clerk of the Court]

vs.

_____
[insert name of Tenant]

Defendant. /

WRIT OF POSSESSION

STATE OF FLORIDA
TO THE SHERIFF OF JACKSON COUNTY, FLORIDA:

YOU ARE COMMANDED to remove all persons from the following described property in JACKSON County, Florida: _____[insert legal or street description of rental premises including, if applicable, unit number] and to put _____[insert Landlord's name] in possession of it.

DATED this _____day of _____, 20 ____

(SEAL)

Clerk, County Court

By: _____
Deputy Clerk

Approved for use under rule 10-2.1(a) of the Rules Regulating The Florida Bar

The Florida Bar 2010

This form was completed with the assistance of:
Name:
Address:
Telephone Number:

PART V

If at any time after filing the complaint for eviction, you accept rent or no longer wish to pursue the eviction, complete the attached Letter of Voluntary Dismissal and file with the clerk's office.

LETTER OF VOLUNTARY DISMISSAL

Date: _____

RE: CASE NO. _____

_____

_____

_____
PLAINTIFF(S)

-VS-

_____

_____

_____
DEFENDANT(S)

_____, WOULD LIKE TO VOLUNTARILY DISMISS THE ABOVE-MENTIONED CASE
(PLAINTIFF)

ON _____
(DEFENDANT)

DUE TO _____

_____.

_____
PLAINTIFF(S) SIGNATURE