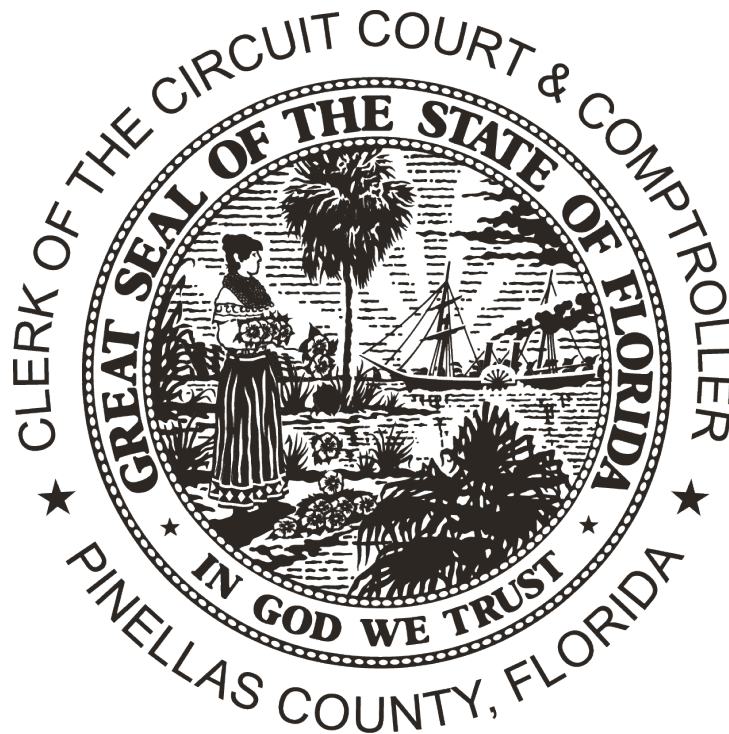


KEN BURKE, C.P.A.
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
PINELLAS COUNTY, FLORIDA
www.mypinellasclerk.org



PACKAGE FEE: \$4.20

**RESIDENTIAL TENANT EVICTION
NON-PAYMENT OF RENT
(POSSESSION ONLY)**

Please contact the Clerk's Office at (727) 464-7000 or visit us online at
www.mypinellasclerk.org for additional information.

COMPLAINT FOR EVICTION

(POSSESSION ONLY)

***** Important Information *****

Notice: Information or forms provided by the Clerk of the 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 concerning filing a lawsuit, answering a lawsuit or questions about your particular situation should be directed to a qualified attorney.

A tenant eviction is the legal procedure a landlord must follow to have a tenant removed from the landlord's property.

FILING FEE: \$185.00
SUMMONS ISSUANCE FEE: \$10.00 PER SUMMONS

Payable by cash / personal check / cashiers check / certified check / money order / traveler's check / credit card – in office payment only (American Express, Discover, MasterCard or Visa)

IN ADDITION TO THE ABOVE MENTIONED FILING FEE AND SUMMONS ISSUANCE FEE, You must contact a private process server, or persons allowed to do service in the county where service is to be done, to obtain their service fees. You can get a list of local process servers from the Sheriff by accessing a link through the Clerk's website at www.mypinellasclerk.org. (Look for Process Servers under Find a Service.)

- If service is outside of Pinellas County, you must contact the Sheriff of that county to obtain applicable service fees prior to submitting payment for service. You will need to provide our office with a pre-addressed stamped envelope for that county along with the applicable fees. Make your check or money order payable to the Sheriff of the county where service will be made.

YOU CAN BRING YOUR COMPLETED FORMS TO ANY ONE OF THE FOLLOWING OFFICES OR MAIL TO CIVIL COURT RECORDS:

Civil Court Records

315 Court Street Room 170
Clearwater, FL 33756

North County Branch Office

29582 US Highway 19 North
Clearwater, FL 33761

St. Petersburg Branch Office

545 1st Avenue North
St. Petersburg, FL 33701

If you have any questions, you may contact us at 727-464-7000.

If you feel you need further assistance or require any legal assistance regarding the completion and/or filing of these forms, you may want to contact an attorney or visit the Self Help Center.

YOU MUST PROVIDE self-addressed stamped envelopes and/or copies for **each** party for any issue requiring the Judge's signature or your issue **WILL NOT** be reviewed by the court.

WHEN SHOULD THIS PACKET BE USED?

- This packet is for residential tenant eviction for non-payment of rent to obtain possession of the property only.
- The tenant did not pay the rent based on an oral or written lease agreement on a residential property only.

Example – I am the owner and/or landlord and I have a rental agreement with a tenant. The tenant is not paying the rent. I want them evicted.

BEFORE A LAWSUIT IS FILED, you must deliver the Notice from Landlord to Tenant – Termination for Failure to Pay Rent [**Form #1**].

REVIEW the Filing Checklist / Quick Reference Guide prior to completing any forms.

REFER to chapters 45 through 57 and chapter 83 of the Florida Statutes for information regarding filing a tenant eviction case.

- Copies of these statutes are available at the law library located at the Clearwater Courthouse, at your public library or online through the Florida Legislature website at <http://www.leg.state.fl.us/Statutes>

DO NOT SIGN any documents that require a notary or deputy clerk signature until you are in front of the notary or deputy clerk.

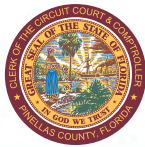
RETAIN COPIES of all forms filed for your records.

DOCUMENTS MUST BE LEGIBLE, type written or legibly handwritten in black or blue ink.

IT IS IMPORTANT that the names and addresses are the same on all documents.

A DELAY CAN OCCUR as a result of any errors on your paperwork or if the proper fees are not submitted.

DO NOT ACCEPT ANY RENT after initiating the eviction process or your case may be dismissed per Florida Statute 83.56(5).



KEN BURKE, CPA

CLERK OF THE CIRCUIT COURT
& COMPTROLLER
PINELLAS COUNTY, FLORIDA

SELF HELP CENTER

The Self Help Centers are the result of a collaborative effort between the Clerk's Office, the Sixth Judicial Circuit, the Community Law Program and the Clearwater Bar Association.

The purpose of the Clerk's Legal Self Help Centers is to assist citizens representing themselves in court (sometimes referred to as pro se persons) who do NOT have a private attorney. Citizens who represent themselves in court and do not already have a private attorney representing them, can now get affordable legal assistance.

OUR SERVICES INCLUDE:

- Schedule an appointment to consult with an attorney for a minimum of \$15.00*
(Attorneys may assist with Family Law, Small Claims and Landlord/Tenant matters ONLY.)
- Purchase forms and packets for the civil court actions listed above
- Have documents notarized
- Make copies

Open Monday through Friday from 8:30 a.m. until 4:30 p.m.:

- **The Clearwater Self Help Center**
315 Court Street, Room 117
Clearwater, FL 33756
Phone: (727) 464-5150
Fax: (727) 453-3423
 - Appointments may be scheduled for Thursday and/or Friday.
 - A Spanish interpreter provided by the Hispanic Outreach Center is available by appointment at the Clearwater location on Fridays from 10:00 a.m. until 12:00 p.m.
- **The St. Petersburg Self Help Center**
The St. Petersburg Judicial Building
545 First Avenue North, Room 103
St Petersburg, FL 33701
Phone: (727) 582-7941
Fax: (727) 582-7945
 - Appointments may be scheduled for Monday, Wednesday, and/or Friday.
- **The North County Branch Self Help Center**
29582 U.S. 19 North, Room 101
Clearwater, FL 33761
Phone: (727) 464-5150
Fax: (727) 453-3423
 - Attorney appointments may be scheduled for Tuesday **only** at this office.

Self Help Center Now Offering Online Scheduling of attorney consultation appointments for pro se litigants that do not already have an attorney. To schedule an appointment online using a credit card, please visit www.mypinellasclerk.org and click on the SELF HELP CENTER link in the top menu.

*Attorney appointments may only be scheduled for a minimum of 15 minutes to a maximum of one hour. All appointments must be scheduled in 15-minute increments, i.e., 15, 30, 45 or 60 minutes at a rate of \$1 (one dollar) per minute, therefore payments will be \$15, \$30, \$45 or \$60 accordingly.

Attorney consultation fees must be paid when the appointment time is scheduled. Payments must be by credit card, cash check or money order. Refunds will not be issued for missed appointments.

MAILING CHARGES GUIDELINES

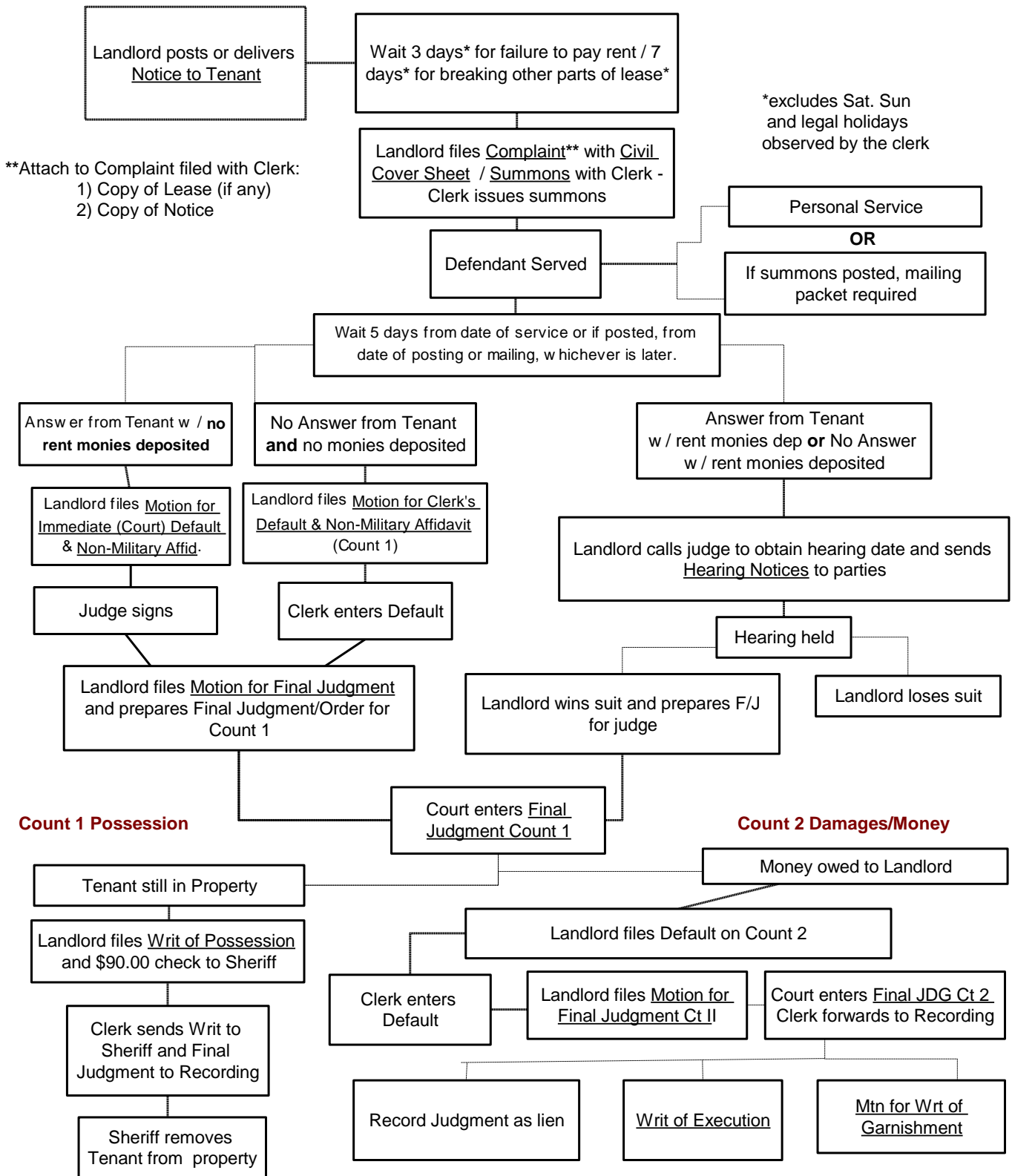
The chart below can be used as a reference when determining the type of envelope and the amount of postage it will cost to mail your summons back.

If the proper size envelope and sufficient postage is not provided, your summons will not be returned or mailed.

ENVELOPE SIZE #10 OR 6X9	WEIGHT	NUMBER OF PAGES	COSTS
	1 oz	1-6	.49
	2 oz	7-11	.70
	3 oz	12-17	.91
	3.5 oz	18-25	1.12

ENVELOPE SIZE FLAT OR 9X12	WEIGHT	NUMBER OF PAGES	COSTS
	1 oz	1-6	.98
	2 oz	7-12	1.19
	3 oz	13-18	1.40
	4 oz	19-23	1.61
	5 oz	24-29	1.82
	6 oz	30-37	2.03
	7 oz	38-42	2.24
	8 oz	43-48	2.45
	9 oz	49-54	2.66
	10 oz	55-59	2.87
	11 oz	60-67	3.08
	12 oz	68-73	3.29
	13 oz	74-79	3.50
<p>Rates are subject to change. You may visit the United States Postal Service at www.usps.com for up to date pricing.</p> <p>Paper weight will vary causing the price of the number of pages per ounce to change.</p>			

DELINQUENT TENANT ACTIONS



Revised 1/2/2013

Indicates what **may** happen -----

Indicates what **will** happen _____

Underlined words in Flow Chart indicate forms available on Clerk Internet (www.[mypinellasclerk.org](http://www.mypinellasclerk.org))

FILING CHECKLIST

RESIDENTIAL EVICTION FOR NON-PAYMENT OF RENT (POSSESSION ONLY)

Step One

File Case with Clerk

To file an Eviction case, you may file the following forms along with the filing fee and any service fees, if applicable, with the Clerk's office.

- ☐ Complaint for Eviction [Form #5] with attached copy of the written lease agreement and/or Notice to Pay Rent [Form #1], if any
(1) Original filed with the Clerk and (1) copy for each Defendant(s) to be served*
- ☐ Civil Cover Sheet [Form #1.997]
- ☐ Authorization of Property Manager [Form #COCIV 87]
Only provide if you are a property manager filing a complaint on behalf of a landlord
- ☐ Summons on Claim for Possession of Residential Premises [Form #7]
Must include Spanish and French translations (pg. 2 of Form #7)
(1) Original and (1) copy for each Defendant(s) to be served.*

** If you anticipate posting, per Florida Statute 48.183, the landlord must provide an additional copy of the complaint, summons and a pre-addressed stamped envelope for mailing to each Defendant.*

Step Two

Obtain Judgment

5 days (excluding weekends & legal holidays) after service on the Defendant(s) and the Defendant(s):

DID NOT respond OR deposit money into the registry of the court, you may file the following forms:

- ☐ Nonmilitary Affidavit [Form #81]
Must be submitted per Local Rule 5(D) in order to obtain a Clerk's Default
- ☐ Motion for Clerk's Default – Residential Eviction [Form #76]
- ☐ Motion for Default Final Judgment – Residential Eviction [Form #78]
- ☐ Final Judgment – Residential Eviction [Form #66]
(1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelope for each party

OR

DID respond, but DID NOT deposit any money into the registry of the court, you may file the following forms:

- ☐ Nonmilitary Affidavit [Form #81]
Must be submitted per Local Rule 5(D) in order to obtain a Clerk's Default
- ☐ Motion for Court's Default – Residential Eviction [Form #COCIV 78]
- ☐ Motion for Default Final Judgment – Residential Eviction [Form #78]
- ☐ Final Judgment – Residential Eviction [Form #66]
(1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelope for each party

OR

DID respond AND deposited money into the registry of the court OR DID respond AND filed a Motion to Determine Amount of Rent, you may file the following forms:

- ☐ Nonmilitary Affidavit [Form #81]
- ☐ Motion/Order to Set Cause for Non-Jury Trial – Final Judgment [Form #New Form 10]
(1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelope for each party
- ☐ Final Judgment – Residential Eviction [Form #66]
Bring the Final Judgment and (1) copy for each Plaintiff and Defendant to the hearing and (1) pre-addressed stamped envelope for each party

If the Judge grants your complaint, a Final Judgment will be signed.

Step Three **Obtain Writ of Possession**

If the Defendant(s) refuse to leave the property after the Final Judgment has been signed, you may file a Writ of Possession and have it issued by the Clerk, allowing the Sheriff's Department to remove them from the property.

- ☐ Writ of Possession [Form #11]
Submit along with a check or money order for \$90.00 payable to the Pinellas County Sheriff's Office (no out of state checks)

Additional Forms

- ☐ Motion and Order to Disburse Funds from Registry of the Court [Form #New Form 13]
If any funds were deposited into the Registry of the Court and you would like to have it disbursed to you, you may file this form.
- ☐ Disclosure from Nonlawyer, if applicable [Form #14]
This form is for your records and should only be used if a nonlawyer assists you in completing any forms. The nonlawyer must complete this form and both of you are to sign it before the nonlawyer assists you with any forms.
- ☐ Notice of Voluntary Dismissal [Form #New Form 15]
This form is to be completed and filed with the Clerk when you decide not to proceed with your case prior to a judgment being entered. For example, use this form if the tenant moves out and it is no longer necessary to obtain an Eviction Judgment.
- ☐ Notice from Landlord of Intent to Impose Claim on Security Deposit [Form #12]
Pursuant to F.S. 83.49(3)(a), you must return a tenant's security deposit to the tenant no more than 15 days after the tenant leaves the leased property. You may claim all or a portion of the security deposit only after giving the tenant written notice by certified mail to the tenant's last known mailing address of your intention to keep the deposit and the reason for keeping it. If the tenant does not object to the notice, you may then keep the amount stated in the notice and must send the rest of the deposit to the tenant within 30 days after the date of the notice.

QUICK REFERENCE GUIDE TO COMPLETING FORMS PRIOR TO FILING COMPLAINT FOR EVICTION (POSSESTION ONLY)

Notice from Landlord to Tenant Termination for Failure to Pay Rent [Form #1] -

- Print the name, address and telephone number of the tenant(s).
- Read each line and select and/or fill in the appropriate response.
- Date and sign in the space provided and print your name, address and telephone number.
- *After three days from the delivery of this notice, excluding the date of delivery, Saturday, Sunday, and legal holidays, you may file a Tenant Eviction Case with the Clerk of Court.*

Instructions for form:**

This notice may be delivered by mail or by delivering a copy to the dwelling unit, or, if the Tenant is absent from the dwelling unit, by leaving a copy thereof at the dwelling unit.

If the Tenant fails to pay rent when due and the default continues for three (3) days (excluding Saturday, Sunday, and legal holidays) after delivery of written demand by the Landlord for payment of the rent or possession of the premises, the Landlord may terminate the rental agreement. This written demand is a prerequisite to an action to evict the Tenant or recover past due rent. Your written rental agreement may have allowed for a longer period than three days and should be reviewed.

SOURCE: Section 83.56(3) and (4), Florida Statutes (2007).

Complaint – Residential Eviction [Form #5] -

- Fill in parties' names in the space provided (the Plaintiff(s) is/are the party initiating this action and the Defendant is the party against whom the case is initiated).
- Read each line and fill in the appropriate response.
- Date and sign in the space provided and print your name, address and telephone number.
- Attach the written agreement to pay rent, if any.
- *Attach the Notice from Landlord to Tenant – Termination for Failure to Pay Rent [Form #1].*

Civil Cover Sheet [Form #1.997] -

- Fill in the names of Plaintiff(s) and Defendant(s).
- Check all that apply, if applicable.
- Date and sign the cover sheet.

Authorization of Property Manager [Form #COCIV 87] -

- Fill in the names of Plaintiff(s) and Defendant(s).
- Read each line and fill in the appropriate response.
- The *landlord* must print and sign their name on this form.

NOTE: In order for a property manager to file a complaint on behalf of a landlord for uncontested residential eviction, the property manager must attach to the complaint the landlord's written authorization for the property manager to act on the landlord's behalf. This authorization must be limited to the completion, signing, and filing of the pleadings necessary to evict a tenant for the nonpayment of rent.

SOURCE: Administrative Order 2006-070

Summons on Claim for Possession of Residential Premises [Form #7] -

- Fill in the names of Plaintiff(s) and Defendant(s).
- Provide the name and address of the party being served (Defendant). *Only one Defendant per summons.*
- Provide the name and address of the serving party (Plaintiff(s)).
- The **Clerk** will date, sign and seal if all of the requirements have been fulfilled.

Nonmilitary Affidavit [Form #81] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Read each line and select and/or fill in the appropriate response.
- **Date and sign in the presence of a Notary Public or Deputy Clerk.**

Motion for Clerk's Default – Residential Eviction [Form #76] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Fill in the name of the party a default will be entered against (Defendant).
- Date and sign in the space provided and print your name, address and telephone number.
- The **Clerk** will date and sign if all of the requirements have been fulfilled.

Motion for Court's Default – Residential Eviction [Form #COCIV 78] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Fill in the name of the party a default will be entered against (Defendant).
- Date and sign in the space provided and print your name, address and telephone number.
- The **Judge** will date and sign if all of the requirements have been fulfilled.

Motion for Default Final Judgment – Residential Eviction [Form #78] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Fill in the name of the party you are requesting a default against (Defendant).
- Fill in the date of the default entered by the Clerk, if available.
- Date and sign in the space provided and print your name, address and telephone number.

Motion/Order Setting Cause for Non-Jury Trial – Final Judgment [Form #10] -

- Fill in the reference number and the names of Plaintiff(s) and Defendant(s).
- Date and sign in the space provided and print your name, address and telephone number.
- Fill in the names and addresses of all parties that will receive a copy.
- Once completed the **Judicial Assistant** will fill in the hearing information, and the **Judge** will date and sign if all of the requirements have been fulfilled.

Final Judgment – Residential Eviction [Form #66] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Read each line and fill in the appropriate response.
- Fill in the name and addresses of all parties that will receive a copy.
- The **Judge** will sign and date if all of the requirements have been fulfilled.

Writ of Possession [Form #11] -

- Fill in the reference number and the names of Plaintiff(s) and Defendant(s).
- Fill in the name of the Defendant(s)
- Fill in the property description
- Fill in the name of the party receiving possession (Plaintiff(s)).
- The **Clerk** will date, sign and seal if all of the requirements have been fulfilled.

Instructions for Writ of Possession form:**

The Writ of Possession should be delivered to the Clerk of the Court after the court enters the final judgment evicting the tenant. The Clerk will sign this writ. After the Clerk signs the writ, it must be delivered to the sheriff to be served upon the tenant and, if necessary, to forcibly evict the tenant after 24 hours from the time of service.

If requested by the Landlord to do so, the Sheriff shall stand by to keep the peace while the Landlord changes the locks and removes personal property from the premises. When such a request is made; the Sheriff may charge a reasonable hourly rate, and the person requesting the Sheriff to stand by to keep the peace shall be responsible for paying the reasonable hourly rate set by the Sheriff.

SOURCE: Section 83.62, Florida Statutes (2007)

Motion/Order to Disburse Funds From Registry of the Court [Form #13] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Date and sign in the space provided and print your name, address and telephone number.
- The **Judge** will sign and date if all of the requirements have been fulfilled.

Disclosure from Nonlawyer [Form #14] -

- Read each line and select and/or fill in the appropriate response.
- Both persons should sign in the space provided.

Notice of Voluntary Dismissal [Form #15] -

- Fill in the reference number and names of Plaintiff(s) and Defendant(s).
- Fill in the name of the person dismissing the action (Plaintiff(s)).
- Provide the name and address of the party being served, select the type of service used and the date it was perfected.
- Date and sign in the space provided, print your name, address and telephone number.

Notice from Landlord of Intent to Impose Claim on Security Deposit [Form #12] -

- Print the name, address and telephone number of the tenant.
- Read each line and select and/or fill in the appropriate response.
- Date and sign in the space provided, print your name, address and telephone number.

Instructions for Form 12:**

A Landlord must return a Tenant's security deposit, together with interest if otherwise required, to the Tenant no more than 15 days after the Tenant leaves the leased property. The Landlord may claim all or a portion of the security deposit only after giving the Tenant written notice, by certified mail to the Tenant's last known mailing address, of the Landlord's intention to keep the deposit and the reason for keeping it. The Landlord's notice must be sent within 30 days of the date Tenant vacates the leased property. If the Landlord does not send the notice within the 30-day period the Landlord can keep the security deposit.

If the Tenant does not object to the notice within 15 days after receipt of the Landlord's notice of intention to impose a claim on the deposit, the Landlord may then keep the amount stated in the notice and must send the rest of the deposit to the Tenant within 30 days after the date of the notice.

SOURCE: Section 83.49(3) Florida Statutes (200 7)

****FORM INSTRUCTIONS FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.**

CIRCUIT COURT, PINELLAS COUNTY, FLORIDA

CIVIL DIVISION

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form shall be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075. (See instructions for completion.)

I. CASE STYLE

Plaintiff _____

Case #: _____

vs.

Judge: _____

Defendant _____

II. 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 in both the main category and subcategory boxes.

☐ Condominium

☐ Contracts and indebtedness (Eviction/Delin Tenant)

☐ 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 \$0 - \$50,000

☐ Commercial foreclosure \$50,001 - \$249,999

☐ Commercial foreclosure \$250,000 or more

☐ Homestead residential foreclosure \$0 - \$50,000

☐ Homestead residential foreclosure \$50,001 - \$249,999

☐ Homestead residential foreclosure \$250,000 or more

☐ Non-homestead residential foreclosure \$0 - \$50,000

☐ Non-homestead residential foreclosure \$50,001 - \$249,999

☐ Non-homestead residential foreclosure \$250,000 or more

☐ Other real property actions \$0 - \$50,000

☐ Other real property actions \$50,001 - \$249,999

☐ Other real property actions \$250,000 or more

☐ 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

III. REMEDIES SOUGHT (check all that apply):

- ☐ monetary;
☐ nonmonetary declaratory or injunctive relief;
☐ punitive

IV. NUMBER OF CAUSES OF ACTION: []

(specify) _____

V. IS THIS CASE A CLASS ACTION LAWSUIT?

- ☐ yes
☐ no

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

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

VII. 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.

Signature _____
Attorney or party

Fla. Bar # _____
(Bar # if attorney)

(type or print name) Date

**IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT,
IN AND FOR PINELLAS COUNTY, FLORIDA**

PLAINTIFF(S)

_____/

VS.

DEFENDANT (S)

_____/

**AUTHORIZATION OF PROPERTY MANAGER
TO WHOM IT MAY CONCERN:**

_____ is being retained by
_____, Landlord, as Property
Manager for the residential property located at

_____.

The Property Manager is hereby authorized by the undersigned Landlord to act on their behalf regarding uncontested residential tenant evictions. This authorization must be limited to the completion, signing and filing of the pleadings necessary to evict a tenant for the nonpayment of rent.

I hereby swear or affirm under the penalty of perjury that the foregoing is true and accurate.

Signature of Landlord

Printed Name of Landlord

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 located at _____, Florida [insert address of premises, including county], 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 [street address where Tenant can deliver rent]

City, State, Zip Code

Phone Number

Hand Delivered On

Posted On

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:

**IN THE COUNTY OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA**

UCN: _____ Case No. _____

Plaintiff(s)

-vs-

Defendant(s)

COMPLAINT FOR EVICTION

Plaintiff _____, _____ sues

Defendant _____ and alleges:

1. This is an action to evict a tenant from real property in Pinellas, Florida
2. Plaintiff owns the following described real property in the county:

3. Defendant has possession of the property under an oral written agreement to pay rent of \$ _____ payable weekly monthly other _____.
A copy of the written agreement, if any, is attached as Exhibit "A".
4. Defendant failed to pay rent due _____.
5. Plaintiff served defendant with a notice on _____ to pay the rent 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 the defendant.

Signature: _____

Name [print]: _____

Address: _____

City, State, Zip Code: _____

Telephone: _____

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.

EVICTIION SUMMONS - RESIDENTIAL

[insert name of Tenant]

Defendant.

TO: _____

[insert name, address, and phone number of Tenant].

PLEASE READ CAREFULLY

You are being sued by _____
[insert Landlord's name]

to require you to move out of the property located at _____
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 home.

THE THINGS YOU MUST DO TO CHALLENGE THE EVICTION 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 Clerk of Court at **315 COURT STREET, ROOM 170, CLEARWATER, FL 33756**.

2. Mail or take a copy of your written reason(s) to: _____

[insert Landlord's name and address]. _____

3. Give the Clerk of Court the rent that is due. You **MUST** pay the Clerk the rent each time it becomes due until the lawsuit is over. Whether you win or lose the lawsuit, the Judge may pay this rent to the Landlord. [By statute, public housing tenants or tenants receiving rent subsidies shall be required to deposit only that portion of the full rent for which the tenant is responsible pursuant to federal, state, or local program in which they are participating.]

4. If you and the Landlord do not agree on the amount of rent owed, you must file a written request (motion) which asks the Judge to decide how much money you must give to the Clerk of Court. The written request must be filed with your answer to the Eviction Complaint. A copy of your motion must also be mailed or hand delivered to the plaintiff(s) attorney, or if the Plaintiff(s) has no attorney, to the Plaintiff.

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. 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.

MONIES DEPOSITED INTO THE REGISTRY OF THE COURT MUST BE IN THE FORM OF CASH, CASHIERS CHECK, OR MONEY ORDER. A CLERK'S FEE OF 3% ON THE FIRST \$500.00, AND 1.5% ON EACH SUBSEQUENT \$100.00 MUST BE PAID IN ADDITION TO THE MONIES DEPOSITED.

IF YOU DO NOT DO ALL OF THESE THINGS WITHIN 5 DAYS (NOT INCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS FOR YOUR COURTHOUSE) YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

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 abovenamed Defendant.

DATED on the _____ day of _____, 20____

KEN BURKE,
Clerk of the Court and Comptroller
315 Court Street, Room 170
727-464-7000

By: _____

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

**Human Rights Office
400 S. Ft. Harrison Ave., Ste. 500
Clearwater, FL 33756
Phone: 727.464.4062 V/TDD
Or 711 for the hearing impaired**

Contact should be initiated at least seven days before the scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven days.

If you cannot afford an attorney, you may be eligible for free legal assistance by contacting Bay Area Legal Aid line at 1-800-625-2257, or Community Law Program (south Pinellas County residents only) at (727) 582 – 7402, or Gulfcoast Legal Services at (727) 821-0726.

If you do not qualify for free legal assistance or do not know an attorney, you may make an appointment to speak with an attorney for \$1.00 per minute in 15 minute increments at the Self Help Center online @ <https://www.mypinellasclerk.org/self-help> or by contacting (727) 464-5150 for north Pinellas County residents or (727) 582 – 7941 for south Pinellas County residents. you may also contact the Clearwater Bar Attorney Referral Service at (727) 461-4880 or the Florida Bar Attorney Referral Service at 1-800-342-8011.

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 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 Pinellas County Courthouse, 315 Court Street, Room 170, Clearwater, FL 33756

(2) Enviar por correo o darle su(s) motivo(s) por escrito a:

(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 CURSAR-SELE 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 que 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. 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 colocan en su casa.

CITATION D'EVICION/RESIDEN 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 préalable, 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 donnees 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 Pinellas County Courthouse, 315 Court Street, Room 170, Clearwater, FL 33756

(2) Envoyer ou donner une copie au:

(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 specifiee 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.

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

[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. _____

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: _____

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

CASE NO.: _____

_____,
(Insert name of Landlord)

Plaintiff,

vs.

**MOTION FOR CLERK'S DEFAULT--
RESIDENTIAL EVICTION**

_____,
(Insert name of Tenant)

Defendant.

_____/

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.

Signature _____

Name _____

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: _____

CLERK OF THE COURT

By: _____

Deputy Clerk

cc: _____

(Insert name of Landlord)

(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:

IN THE COUNTY COURT IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

_____,
(Insert name of Landlord)

Plaintiff,

vs.

(Insert name of Tenant)

Defendant,

CASE NO. _____

DIVISION: _____

MOTION FOR COURT DEFAULT

Plaintiff moves for entry of a default by the Court because the Defendant _____ SSSSSS _____
_____ failed to place the rent money into the Registry of the Court
as required by law.

Signature _____

Landlord/Plaintiff

DEFAULT

A default is entered in this action against the Defendant, _____ ,
named in foregoing Motion for failure to deposit the rent money into the Registry of the Court as required
by law.

DONE AND ORDERED in Pinellas County, Florida this _____ day of _____,

County Judge

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

CASE NO.: _____
(insert case number assigned
by Clerk of the Court)

_____,
(Insert name of Landlord)
Plaintiff,
vs.

**MOTION FOR DEFAULT FINAL
JUDGMENT-RESIDENTIAL EVICTION**

(Insert name of Tenant)
Defendant.
_____ /

Plaintiff asks the court to enter a Default Final Judgment against _____
[name]
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 _____
[date]

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

Signature _____
Name _____
Address _____

Telephone Number _____

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 2011

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

**IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA**

Reference No: _____ UCN: 5220 CC _____ XXCOCO

Plaintiff(s)
vs.

Defendant(s)

**MOTION TO SET CAUSE FOR NON-JURY TRIAL
FINAL JUDGMENT RESIDENTIAL EVICTION**

Plaintiff(s) asks the court to set the above-styled cause for a non-jury trial on the Final Judgment for Residential Eviction.

Date: _____

Signature of Plaintiff(s)
Print Name: _____
Address: _____
City, State, Zip: _____
Telephone No: _____

**ORDER SETTING CAUSE FOR NON-JURY TRIAL
FINAL JUDGMENT RESIDENTIAL EVICTION**

The Court having reviewed the file and pleadings therein and being otherwise fully advised in the premises, it is therefore

ORDERED AND ADJUDGED that the non-jury trial on the Final Judgment for Residential Eviction is set for a hearing before Judge _____ on *{date}* _____, at *{time}* _____, in Room _____ of the Pinellas County Courthouse located at:

_____ hour(s)/ _____ minutes have been reserved for this hearing.

DONE AND ORDERED in Pinellas County, Florida on the _____ day of _____, 20_____.

cc:
Plaintiff(s) _____
Address _____
City, State, Zip _____

Defendant(s) _____
Address _____
City, State, Zip _____

COUNTY COURT JUDGE

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Human Rights Office, 400 S. Ft. Harrison Ave., Ste. 300, Clearwater, FL 33756, (727)464-4062 (V/TDD) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IN THE COUNTY COURT, IN AND FOR

(insert county in which rental property is located)
COUNTY, FLORIDA

CASE NO.: _____
(insert case number assigned
by Clerk of the Court)

_____,
(Insert name of Landlord)

Plaintiff,

vs.

FINAL JUDGMENT - EVICTION

_____,
(Insert name of Tenant)

Defendant.

_____ /

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

ADJUDGED that Plaintiff, _____, recover from Defendant,
(insert Landlord's name)

_____ possession of the real property described as follows:
(insert Tenant's name)

(insert legal or street description of rental premises including, if applicable, unit number)
and \$ _____ as court costs, for WHICH LETS WRITS OF POSSESSION AND EXECUTIONS
NOW ISSUE.

ORDERED in _____,
(insert city in which court is located) (insert county in which court is located)

COUNTY, FLORIDA on _____, 20 ____ .

(County/Circuit) Judge

cc: _____
(Insert name of Landlord)

(Insert name of Tenant)

Approved for use under rule 10-1.1(b) of
the Rules Regulating The Florida Bar

The Florida Bar 2010

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

RESIDENTIAL PROPERTY

**COUNTY COURT, PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

UCN: _____ REF. NO. _____

Plaintiff,

vs.

Defendant.

WRIT OF POSSESSION

THE STATE OF FLORIDA:

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE:

YOU ARE COMMANDED to remove all persons from the following property in Pinellas County,
Florida AFTER A 24 HOUR NOTICE HAS BEEN CONSPICUOUSLY POSTED ON THE PREMISES:

and to put _____
In full possession thereof.

WITNESS my hand and seal of the Court on _____ day of _____, 20 ____

KEN BURKE

Clerk of the Circuit Court

By: _____
Deputy Clerk

(SEAL)

Plaintiff(s) – or – Attorney'(s) Name and Address

Phone # : _____

**IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA**

Reference No: _____

Plaintiff(s)

vs.

Defendant(s)

MOTION TO DISBURSE FUNDS FROM REGISTRY OF THE COURT

Plaintiff(s) asks the Court to direct the Clerk to disburse all the funds being held in the Registry of the Court.

Date: _____

Signature of Plaintiff(s)

Print Name: _____

Address: _____

City, State, Zip: _____

Telephone No: _____

ORDER TO DISBURSE FUNDS FROM REGISTRY OF THE COURT

The Court having reviewed the file and pleadings therein and being otherwise fully advised in the premises, it is therefore

ORDERED AND ADJUDGED that the Clerk of the Court is hereby directed to disburse all the funds held in the Registry of the Court to the Plaintiff.

DONE AND ORDERED in Pinellas County, Florida on the _____ day of _____, 20____.

COUNTY COURT JUDGE

cc:

Plaintiff(s) _____

Address _____

City, State, Zip _____

Defendant(s) _____

Address _____

City, State, Zip _____

NONLAWYERS WHO ASSIST OTHERS IN COMPLETING FORMS

If a nonlawyer will help you in completing forms in this booklet, that person must provide you a copy of the disclosure on the bottom of this page before beginning. Both you and the nonlawyer helping you must sign the disclosure form. You should receive a copy to keep and the nonlawyer helping you should keep a copy. This disclaimer does not act as or constitute a waiver, disclaimer, or limitation of liability.

Anyone assisting you in completing these forms also must put their name, address, and telephone number on the bottom of the last page of the form. A space is provided on each form for this purpose.

DISCLOSURE

_____ told me that he/she is not a lawyer and may not give legal advice or represent me in court.

_____ told me that he/she may only help me fill out a form approved by the Supreme Court of Florida. _____ may only help me by asking me questions to fill in the form. _____ may also tell me how to file the form.

_____ told me that he/she is not an attorney and cannot tell me what my rights or remedies are or how to testify in court.

_____ I can read English.

_____ I cannot read English but this notice was read to me by _____
in _____ .
(language)

Signature

Signature

**IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA**

Reference No: _____

Plaintiff(s)

vs.

Defendant(s)

NOTICE OF VOLUNTARY DISMISSAL

Plaintiff(s), _____, in the above styled cause hereby submit this Notice of Voluntary Dismissal as this cause has been settled between parties.

I certify that a copy of this document was [☒ **one** only] ☐ mailed ☐ faxed and mailed ☐ hand delivered to the person(s) listed below on the _____ day of _____, 20____.

Defendant(s): _____

Address: _____

City, State, Zip: _____

Dated: _____

Signature of Plaintiff(s)

Print Name: _____

Address: _____

City, State, Zip: _____

Telephone No: _____

(Tenant's Name and Address)

Dear _____
(Tenant's Name)

This is a notice of my intention to impose a claim for damages in the amount of
\$ _____ upon your security deposit due to _____
(insert amount of damages)

(insert damage done to premises or other reason for claiming security deposit)

This notice is sent to you as required by §83.49(3), Florida Statutes. You are hereby notified that you must object in writing to this deduction from your security deposit within 15 days from the time you receive this notice or I will be authorized to deduct my claim from your security deposit. Your objection must be sent to

(insert Landlord's address)

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:
Telephone Number: