JODY PHILLIPS

CLERK OF THE CIRCUIT AND COUNTY COURTS
JACKSONVILLE, FLORIDA
www.duvalclerk.gov

PACKET FEE: $5.25

RESIDENTIAL EVICTION PACKET
NON-PAYMENT OF RENT
POSSESSION ONLY

Please contact the Clerk's Office at (904) 255-1979 or visit us online

at www.DuvalClerk.gov for additional information.

Revised 12/2025

COMPLAINT FOR EVICTION

*** Important Information ***

Notice: Information or forms provided by the Clerk of the 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 individual 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 FEES:

Tenant Eviction (Possession Only)	$185.00
Tenant Eviction and Damages under $2,500.00	$185.00
Summons Issuance Fee	$10.00 Per Summons

IN ADDITION TO THE FILING FEE AND SUMMONS ISSUANCE FEE, you must contact a private process server, or persons allowed to do service in the county where the service is to be done, to obtain their service fees.

- If service is outside of Duval County, you must contact the Sheriff of that county to obtain applicable service fees.

<u>When should this packet be used?</u>

- Residential Tenant Eviction (Possession Only) is used to obtain possession of the property for non-payment of rent.
- The tenant did not pay the rent based on an oral or written lease agreement on a residential property.

Before a lawsuit is filed, you must deliver the Notice from Landlord to Tenant

– Termination for Failure to Pay Rent

Review the Filing Checklist 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 in the Duval County 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.

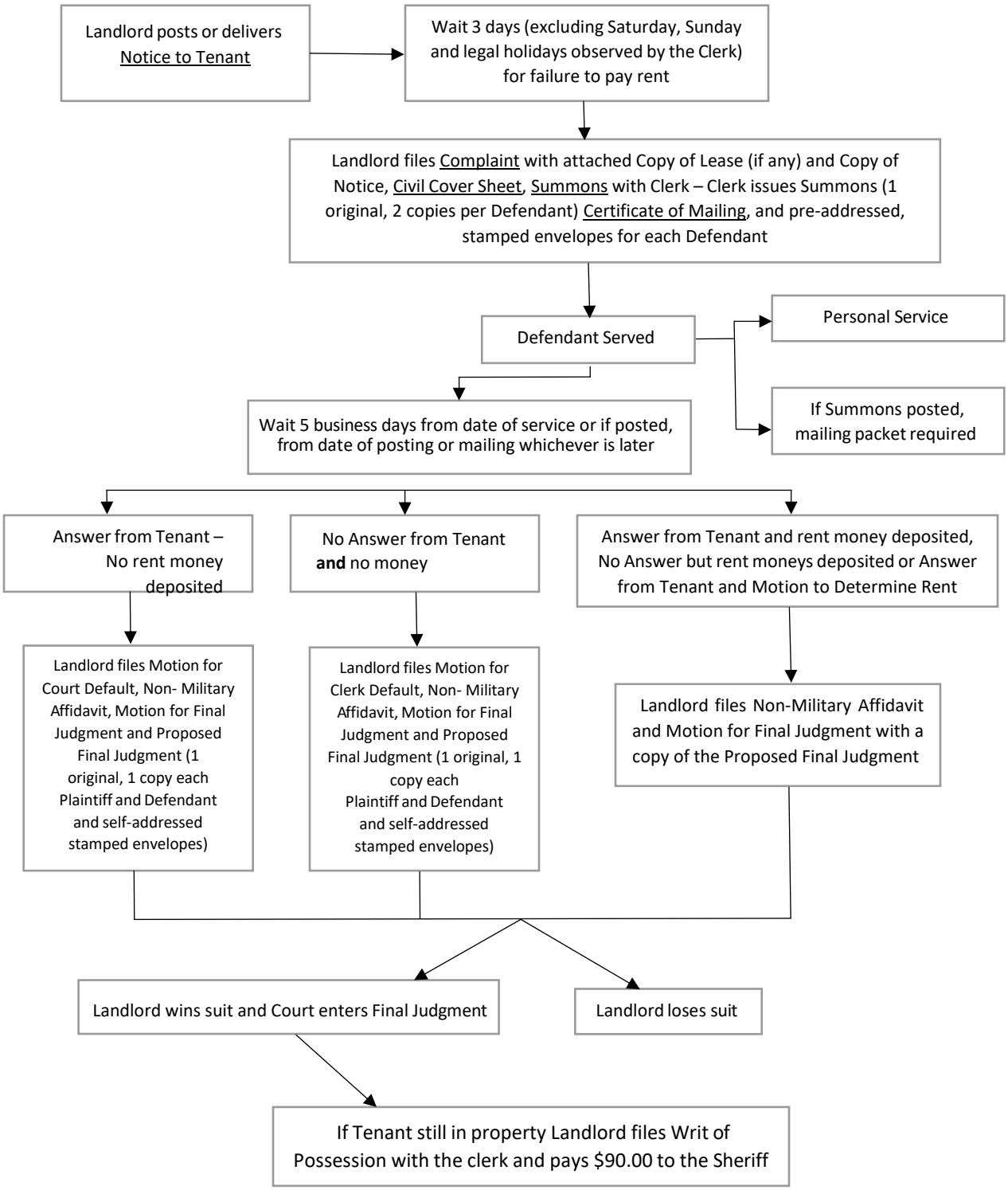
Documents Must Be Legible, type written or legibly handwritten in black or blue ink.

It Is Important that the names and addresses are the same on all documents.

A Delay Can Occur because 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).

DELINQUENT TENANT FLOWCHART – COUNT 1 POSSESSION ONLY



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 with attached copy of the written lease agreement, if any, and Notice to Pay Rent
(1) Original and (2) copies for each Defendant to be served*
_____ Civil Cover Sheet
_____ Authorization of Property Manager – Only provide if you are a property manager filing a complaint on behalf of a landlord.
_____ Summons on Claim for Possession of Residential Premises
(1) Original and (1) copy for each Defendant to be served along with pre-addressed stamped envelopes (4 stamps each)*
_____ Certificate of Mailing

***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 and 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:

_____ Non-Military Affidavit
_____ Motion for Clerk's Default – Residential Eviction
_____ Motion for Default Final Judgment – Residential Eviction
_____ Final Judgment – Residential Eviction – (1) Original and (1) copy for each Plaintiff and Defendant along with pre-addressed stamped envelopes for each party

OR

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

_____ Non-Military Affidavit
_____ Motion for Court's Default – Residential Eviction

_____ Motion for Default Final Judgment – Residential Eviction
_____ Final Judgment – Residential Eviction – (1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelopes 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:

_____ Final Judgment – Residential Eviction – (1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelopes for each party.

Note – In some cases the Judge assigned to your case may require that you submit a Non-Military Affidavit prior to signing the Final Judgment.

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 Office to remove them from the property.

_____ Writ of Possession - (1) Original and (1) copy for the Sheriff's Office

Payment Options for Writ of Possession:

- $7.00 Cash, credit card, cashier's check, or money order payable to the Duval County Clerk of Court
    - Submitted to the Clerk along with the Writ of Possession
    - $90.00 payment for service of the Writ payable to the Jacksonville Sheriff's Office

Additional Forms, if applicable

_____ Motion and Order to Disburse Funds from Registry of the Court
This form should only be used if any funds were deposited into the Registry of the Court and you would like to have it disbursed to you

_____ Disclosure from Nonlawyer
This form should only be used if a nonlawyer assists you in completing any forms. The nonlawyer must complete the Disclosure form and both of you are to sign it prior to the nonlawyer assisting you with any forms.

_____ Notice of Voluntary Dismissal
If you decide not to proceed with your case prior to a judgment being entered, you should file a Notice of Voluntary Dismissal.

_____ Notice from Landlord of Intent to Impose Claim on Security Deposit
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 keep the amount stated in the notice and must send the rest of the deposit to the tenant within 30 days after the notice.

THIS DOES NOT CONSTITUTE LEGAL ADVICE. Civil court information and forms provided by the Duval County Clerk of Court should be considered informational 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 or answering a lawsuit and questions about your particular situation should be directed to a qualified attorney.

STEP ONE

FILE CASE WITH CLERK

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

To:

Tenant's Name:
Address:
City, State, Zip:
Date Delivered:

From:

You are hereby notified that you are indebted to me in the sum of $_____ for the rent
(insert amount owed by tenant)

And use of the premises located at _____,
(insert address of premises including county)

Florida, now occupied by you and that I demand payment of the rent or possession of the delivery of this notice to-wit: on or before the _____ , day of _____, 20___.
(three days from the delivery of notice – excludes 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

_____
Telephone

Hand Delivered on: _____
Posted on: _____

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

NOTICE FROM LANDLORD TO TENANT – TERMINATION FOR NONCOMPLIANCE OTHER THAN FAILURE TO PAY RENT

To:

Tenant's Name:
Address:
City, State, Zip:
Date Delivered:

From:

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 (street address where Tenant can deliver rent)

_____
City, State, Zip Code

_____
Telephone

Hand Delivered on: _____
Posted on: _____

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

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

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

_ _Civil

_ _Real Property/Mortgage foreclosure

_ _Replevins

_ _Evictions

__ _Residential Evictions
__ _Non-residential Evictions
_____Other civil (non-monetary)

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

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?
_____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 General Practice and Judicial Administration 2.425.

Signature_____ Fla. Bar # _____
(Attorney or party) (Bar # if attorney)

_____
(type or print name) Date

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

Case No.:_____
Division: _____

Plaintiff(s)

Vs.

_____

_____
Defendant(s)

COMPLAINT FOR EVICTION

Plaintiff(s) _____ sues
Defendant(s) _____ and alleges:

1. This is an action to evict a tenant from real property in Duval, 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 _____.
   - ☐ non-compliance other than failure to pay rent.
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

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

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

AUTHORIZATION OF PROPERTY MANAGER

My name is _____, and I am the landlord for the property located at the following address:

_____
_____
_____

My property manager's name is _____.

My property manager is responsible for the renting, maintenance, and collection of rent for the above-described residential property.

I hereby authorize my property manager to complete, sign, and file the pleadings necessary to evict a tenant for nonpayment of rent. I understand that the court file shall reflect that I am the plaintiff in the case. I also understand that my property manager cannot seek to recover past due rent on my behalf.

If the action becomes contested and a hearing is required, I understand it will be necessary to appear personally on my own behalf *(if I am an individual owner)* at such hearing or through my attorney.

If the owner is a corporation or other legal entity, and if the action becomes contested and a hearing is required, I understand that it will be necessary to be represented by an attorney at such hearing to continue the eviction process.

_____
Landlord and Plaintiff

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

EVICTION POSSESSION SUMMONS– COUNT I

YOU ARE COMMANDED to serve this Summons and a copy of the Complaint or petition in this action on:

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

PLEASE READ CAREFULLY

You are being sued by the **PLAINTIFF** to require you to move out of the place where you are living for the reason(s) 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 in paragraphs 1-3 below within **FIVE (5) business 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 and is over the age of 15 or were posted at your home.

THE THINGS YOU MUST DO TO CHALLENGE THE EVICTION ARE AS FOLLOWS:

1. Write down he reason(s) why you think you should not be forced to move. The written reason(s) must be given or mailed to the **Duval County Clerk of Court** located at 501 West Adams Street, Room 1054, Jacksonville, Florida 32202, and include your signature, phone number, email address and case number.

2. Mail or take a copy of your written reason(s) to: Plaintiff or Plaintiff's Attorney whose name and address is:
   _____
   _____

3. You must pay the Clerk of Court the amount of rent that is due. You MUST pay **any rent that becomes due until the lawsuit is over**. Whether you win or lose the lawsuit, the judge may release this rent to the landlord. *If you are a resident of public housing, you are only required to deposit your portion of the rent into the Registry.

4. If you and the landlord do not agree on the amount of rent owed, you must file a written request (motion) that asks the judge to decide how much money you must pay to the Clerk of the Court. 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.

   Any payment into the Registry of the Court must be in the form of cash, cashier's check, or money order. **A Clerk's Registry Fee of 3% on the first $500.00 deposited and 1.5% for each subsequent $100.00 must be paid in addition to the monies deposited in the registry. Scan this code to calculate the total you will need to bring when you pay into the Court Registry:**

5. IF YOU DO NOT DO ALL OF THE THINGS SPECIFICED ABOVE WITHIN FIVE (5) WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU AND IS OVER THE AGE OF 15 OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

You may want to call a lawyer right away. If you do not know a lawyer, you can contact the Lawyer Referral Service on The Florida Bar's website. If you cannot afford a lawyer, you may be eligible for free legal aid. You can locate legal aid programs by searching for "legal aid" on The Florida Bar's website.

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 4th Judicial Circuit ADA Coordinator
Phone Number: (904) 255-1695
Email Address: crtintrp@coj.net

Contact the ADA Coordinator 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.

TO 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(s).

DATE: _____

JODY PHILLIPS
CLERK OF THE COURT

By: _____
Deputy Clerk

CITATORIO DE DESALOJO—RESIDENCIAL

DESTINATARIO: .....(Ponga el nombre, la dirección y el número de teléfono del inquilino)……

POR FAVOR LEA ATENTAMENTE

Usted ha sido demandado por ....(ponga el nombre del arrendador)..... para exigirle que desaloje la propiedad localizado en _____ _____por las razones que se muestran en la demanda querella adjunta.

Usted tiene el derecho a un juicio para determinar si se le puede exigir que desaloje, pero DEBE cumplir con TODAS las acciones que se indican a continuación, las cuales tienen que hacerse dentro de los 5 días hábiles (es decir, sin incluir sábados, domingos ni días feriados) siguientes a la fecha en que la presente documentación le haya sido entregada a usted, o a una persona que viva con usted, o haya sido posteada en su domicilio.

LAS ACCIONES QUE DEBE HACER PARA CUESTIONAR EL DESALOJO SON LAS SIGUIENTES:

1. Indique por escrito la razón(es) por las que considera que no se le debe obligar a mudarse (para eso, usted puede usar el Formulario 1.947(b) de la Corte Suprema de la Florida [Florida Supreme Court], "Answer—Residential Eviction"). La presentación de la razón(es) por escrito debe ser entregada al secretario del tribunal en .....(Ponga la dirección del tribunal)……

2. Envíe por correo postal o entregue una copia de sus razones por escrito a: _____ .....(Ponga el nombre y dirección del arrendador)……

3. Haga el pago del alquiler que se debe al secretario de la corte. Usted DEBE pagar el alquiler al secretario de la corte cada vez que haya que pagarlo, hasta que concluya el proceso judicial. Independientemente de si gana o pierde la demanda, el juez puede entregar este pago del alquiler al arrendador. [Según la ley, los inquilinos de viviendas públicas o quienes reciben subsidios de alquiler deben pagar únicamente la parte por la que son responsables con respecto al monto total del alquiler según el programa federal, estatal o local del que son participantes].

4. Si usted y el arrendador no llegan a un acuerdo respecto al monto del alquiler adeudado, usted deberá presentar una solicitud por escrito (una petición) para que el juez determine cuánto debe pagar al secretario del tribunal. La solicitud por escrito debe ser presentada junto con su respuesta a la demanda de desalojo. Una copia de su petición también deberá ser enviada por correo postal o entregada personalmente al abogado del demandante, o si el demandante no tiene abogado, al demandante mismo.

SI NO CUMPLE CON TODOS ESTOS REQUISITOS DENTRO DE LOS 5 DÍAS HÁBILES (SIN CONTAR SÁBADOS, DOMINGOS NI FERIADOS OFICIALES SEGÚN EL HORARIO DE ATENCIÓN SU TRIBUNAL), USTED PODRÍA SER DESALOJADO SIN QUE SE HAGA UNA AUDIENCIA NI SE LE DÉ PREVIO AVISO.

Sería recomendable que consulte a un abogado de inmediato. Si no cuenta con un abogado, puede contactar al Servicio de Consulta o Referencia

Legal [Lawyer Referral Service] en el sitio web del Colegio de Abogados de la Florida [The Florida Bar.] Si no tiene el dinero necesario para contratar un abogado, usted podría ser elegible para recibir asesoría jurídica gratuita. Puede encontrar programas de ayuda legal buscando "asistencia legal" ['legal aid'] en el sitio web del Colegio de Abogados de la Florida [The Florida Bar.]

Si usted tiene una discapacidad y requiere alguna adaptación especial o servicio de apoyo para participar en este procedimiento, tiene derecho a recibir asistencia gratuita. Por favor contacte a *[identifique el personal del tribunal que corresponda incluyendo el nombre, dirección y número de teléfono]*, por lo menos 7 días antes de su comparecencia programada ante el tribunal, o inmediatamente después de recibir esta notificación si el plazo antes de la comparecencia es menor de 7 días; o si tiene discapacidad auditiva o del habla, llame al 711.

ESTADO DE LA FLORIDA [THE STATE OF FLORIDA:]
A CADA ALGUACIL DEL ESTADO [SHERIFF OF THE STATE:]

Se le ordena que haga entrega oficial de este citatorio, así como de una copia de la demanda que hace parte de este proceso judicial, al demandado mencionado anteriormente.

CON FECHA DEL _____ día del mes de _____ del 20_____.

Secretario(a) del Tribunal

Firmado por: _____
Secretario(a) Auxiliar
Dirección del Secretario(a) del Tribunal: _____
No. de Teléfono _____

ASSIGNATION EN EXPULSION—RÉSIDENTIEL

À: .....(insérer le nom, l'adresse et le numéro de téléphone du locataire).....

VEUILLEZ LIRE ATTENTIVEMENT

Vous °tes poursuivi par .....(ins®rer le nom du propri®taire)..... pour vous obliger ¨ quitter la propri®t® situ®e ¨ _____ _____ pour les raisons indiqu®es dans la plainte ci-jointe.

Vous avez le droit ¨ un proc¯s pour d®terminer si vous pouvez °tre oblig® de d®m®nager, mais vous DEVEZ accomplir TOUTES les choses ®num®r®es ci-dessous. Vous devez les r®aliser dans les 5 jours (¨ l'exclusion des samedis, dimanches et jours f®ri®s) suivant la date ¨ laquelle ces documents vous ont ®t® remis ou ¨ une personne qui habite avec vous ou affich®s ¨ votre domicile.

POUR CONTESTER VOTRE EXPULSION, IL EST N£CESSAIRE D'EFFECTUER LES D£MARCHES SUIVANTES:

1. Indiquez les raisons pour lesquelles vous pensez que vous ne devriez pas °tre oblig® de d®m®nager. (Vous pouvez vous utiliser ~~au~~ le formulaire 1.947(b) de la Cour Supr°me de Floride [Florida Supreme Court], intitul® òAnswer ñ Residential Eviction,ó pour ce faire.) Les raisons ®crites doivent °tre soumises au greffier du tribunal ¨ .....(ins®rer lðadresse du palais de justice).....

2. Veuillez envoyer ou remettre une copie de vos raisons ®crites ¨: ____ _____

.....(ins®rer le nom et lðadresse du propri®taire).....

3. Vous devez payez au greffier du tribunal le loyer d¾. Vous DEVEZ payez le loyer au greffier ¨ chaque ®ch®ance jusquð¨ la conclusion du proc¯s. Que vous gagniez ou perdiez le proc¯s, le juge peut d®cider de transf®rer ce loyer au propri®taire. En vertu de la loi, les locataires de logements sociaux ou ceux b®n®ficiant dðaides au loyer ne doivent payer que la part du loyer dont ils sont responsables selon le programme f®d®ral, ®tatique ou local auquel ils participent.

4. Si vous et le propri®taire ne parvenez pas ¨ un accord sur le montant du loyer d¾, vous devez soumettre une demande ®crite (motion) au juge pour quðil d®termine le montant ¨ verser au greffier. Cette demande ®crite doit °tre d®pos®e avec votre r®ponse ¨ la plainte dðexpulsion. Une copie de votre requ°te doit ®galement °tre envoy®e par courrier ou remise en main propre ¨ lðavocat du plaignant, ou, si le plaignant nða pas dðavocat, directement au plaignant.

_____

SI VOUS NE R£ALISEZ PAS TOUTES CES CHOSES DANS UN D£LAI DE 5 JOURS (HORS SAMEDIS, DIMANCHES ET JOURS F£RI£S POUR VOTRE TRIBUNAL), VOUS RISQUEZ DðĆTRE EXPULS£ SANS AUDIENCE NI PR£AVIS SUPPL£MENTAIRE.

_____

Il est conseillé de joindre un avocat immédiatement. Si vous ne connaissez pas d'avocat, vous pouvez contacter le service de référence aux avocats sur le site Web du Florida Bar [The Florida Bar]. Si vos moyens financiers sont limités, vous pourriez avoir droit à une aide juridique gratuite. Vous pouvez trouver des programmes d'aide juridique en effectuant une recherche pour "aide juridique" ['legal aid'] sur le site de de sur le site Web du Florida Bar [The Florida Bar].

Si vous êtes une personne handicapée nécessitant des aménagements pour participer à cette procédure, vous avez droit, sans frais, à certaines formes d'assistance. Veuillez contacter [*identifier le personnel judiciaire concerné par son nom, adresse et numéro de téléphone*] au moins 7 jours avant votre comparution prévue au tribunal, ou immédiatement après avoir reçu cette notification si le délai avant la comparution prévue est inférieur à 7 jours; si vous avez des problèmes d'audition ou de voix, composez le 711.

L'ÉTAT DE FLORIDE [THE STATE OF FLORIDA:]

À CHAQUE SHÉRIF DE L'ÉTAT [SHERIFF OF THE STATE:]

Vous êtes chargé de signifier cette citation et une copie de la plainte dans cette affaire au défendeur mentionné ci-dessus.

DATÉ le _____ jour de _____ 20_____.

Greffier du Tribunal

Par: _____
Greffier Adjoint
Adresse du Greffier: _____
_____
Numéro de téléphone: _____

KONVOKASYON DEGÈPISMAN—REZIDANS

A: .....(mete non, adrès, ak nimewo telefòn lokatè a).....

TANPRI LI AK ATANSYON

.....(mete non mèt kay la a) ..... ap rele w lajistis pou mande w deplase

soti nan kay ki nan _____
_____ pou rezon ki bay nan plent ki tache la a.

Ou gen dwa a yon jijman pou deside si ou ka oblije kite kay la, men ou DWE fè TOUT bagay ki endike anba la a. Ou dwe fè yo nan 5 jou (sa pa enkli Samdi, Dimanch, oswa jou ferye legal) apre dat yo te ba ou papye sa yo oswa bay yon moun ki abite avèk ou oswa yo te afiche yo sou kay ou.

MEN BAGAY OU DWE FÈ YO POU DEFYE DEGÈPISMAN AN:

1. Ekri rezon (yo)ki fè w panse yo pa ta dwe fòse w soti nan kay la. (Ou ka itilize Fòm 1.947(b) Tribinal Siprèm Florid [Florida Supreme Court], Repons— Degèpisman Rezidansyèl, pou fè sa.) Ou dwe bay grefye tribinal la

rezon (yo) alekri nan .....(mete adrès tribinal la) .....

2. Poste oswa pote yon kopi rezon (yo) ou ekri a (yo) bay: _____

.....(mete non ak adrès mèt kay la).....

3. Peye grefye tribinal la lwaye ou dwe a. Ou DWE peye grefye nan tribinal la lwaye a chak mwa lè w dwe jiskaske pwosè a fini. Kit ou genyen oswa ou pèdi pwosè a, jij la ka bay lwaye sa a bay mèt kay la. [Dapre lalwa, lokatè lojman piblik oswa lokatè k ap resevwa sibvansyon pou lwaye yo dwe oblije peye sèlman pòsyon total lwaye lokatè a responsab la dapre pwogram federal, leta oswa lokal yo ap patisipe ladann nan.]

4. Si oumenm ak mèt kay la pa dakò sou kantite lwaye ou dwe a, ou dwe depoze yon demann alekri (mosyon) ki mande jij la deside konbyen lajan ou dwe peye grefye tribinal la. Ou dwe ranpli demann alekri a ak repons ou pou plent degèpisman an. Ou dwe tou voye yon kopi mosyon w la pa lapòs oswa remèt avoka moun ki pote plent la (yo), oswa si moun ki pote plent la (yo) pa gen avoka, bay moun ki pote plent la li.

SI OU PA FÈ TOUT BAGAY SA YO NAN 5 JOU (SA PA ENKLI SAMDI, DIMANCH, AK JOU FERYE LEGAL POU TRIBINAL OU A) YO KA METE W DEYÒ SAN YON ODYANS OSWA SAN OKENN LÒT AVI.

Ou ka vle rele yon avoka touswit. Si w pa konnen yon avoka, ou ka kontakte Sèvis Referans Avoka [Lawyer Referral Service] sou sitwèb Bar Nan Florida [The Florida Bar]. Si ou pa kapab peye yon avoka, ou ka kalifye pou èd legal gratis. Ou ka jwenn pwogram èd legal lè w chèche “legal aid” [‘èd legal’] sou sitwèb Bar Nan Florida [The Florida Bar].

Si ou se yon moun ki gen yon andikap ki bezwen nenpòt aranjman pou patisipe nan pwosedi sa a, ou gen dwa, san okenn frè pou ou, pou w resevwa sèten asistans. Tanpri kontakte [*idantifye pèsonèl tribinal ki aplikab yo pa non, adrès, ak nimewo telefòn*] omwen 7 jou anvan dat tribinal la te fikse pou w te parèt la, oswa imedyatman apre w resevwa notifikasyon sa si dat pou w te parèt la pwograme pou mwens pase 7 jou. Si ou gen pwoblèm pou tande oswa pou w pale, rele 711.

ETA FLORID [THE STATE OF FLORIDA]:

POU CHAK CHERIF ETA A [SHERIFF OF THE STATE]:

Yo ba w lòd pou w sèvi manda sa a ak yon kopi plent nan pwosè sa a bayakize ki endike anwo a.

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

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 Sections 48.183(2) Florida Statutes.

Witness my hand and seal at Duval County, Florida and dated this _____ day of _____, 20_____.

JODY PHILLIPS
CLERK OF THE COURT

By: _____
Deputy Clerk

NOTICE OF INTENTION TO IMPOSE CLAIM ON SECURITY DEPOSIT

To:

Tenant's Name:
Address:
City, State, Zip:
Date Delivered:

From:

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

Deposit due to _____.
(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 the 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. You objection must be sent to:

_____

_____

(Insert Landlord's address)

_____
Signature

_____
Name of Landlord/Property Manager (circle one)

_____
Address (street address where Tenant can deliver rent)

_____
City, State, Zip Code

_____
Telephone

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

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

ANSWER – RESIDENTIAL EVICTION

1. The defendant answers the complaint as follows (Check ONLY 1, a. or b.)

   a. ☐ Defendant generally denies each statement of the complaint.

   b. ☐ Defendant admits that all the statements of the complaint are true EXCEPT:

      (i) ☐ The following statement(s) in paragraph(s) _____ of the complaint is/are false. Please explain:
      _____
      _____
      _____

      (ii) ☐ I do not know whether the information in paragraph(s) _____ of the complaint us/are true or false, so I am denying them.

2. If you write down any defense other than payment of rent, then you must take one of the following steps:

   a. If you agree with the landlord about rent owed, then you must pay rent owed into the court registry when you file this response.

   b. If you disagree with the landlord about the rent owed for any reason, then you must check box 3(b) below and describe with detail why you disagree.

   c. You MUST pay the Clerk of Court the rent each time it becomes due until the lawsuit is over.

If you fail to follow these instructions, then you will lose your defenses. You will not have a hearing in your case and you may be evicted without a court date.

3. The defendant sets forth the following defenses to the complaint:)Check ONLY the defenses that apply, and state brief facts t support each checked defense.)

a. The landlord did not make repairs, and I withheld my rent after sending written notice to the landlord. (Attach a copy of the written notice to the landlord.) Please explain:
_____
_____
_____
_____

b. I do not owe the total amount of rent or ongoing amount of rent the landlord claims I owe. I am also asking this court to determine the amount of rent that must be deposited into the court registry and requesting a hearing. (**Motion to Determine Rent**.) Please explain:
_____ _
_____

c. I attempted / offered to pay all the rent due before the notice to pay rent expired, but the landlord did not accept the rent payment. Please explain: _____
_____
_____
_____

d. I paid the rent demanded by the landlord un the notice to pay rent. Please explain:
_____
_____
_____
_____

e. The landlord waived, changed, or canceled the notice that required me to move out of the residence. Please explain:
_____
_____
_____

f. The landlord filed the eviction in retaliation against me. For example, the tenant has complaint to a governmental agency charged with responsibility for enforcement of building, housing, or health codes of a suspected violation, or tenant has complained directly to the landlord. Please explain:
_____
_____
_____

g. _____ The landlord filed the eviction in violation of the Federal Fair Housing Act and/or the Florida Fair Housing Act. Please explain:
_____
_____
_____

h. The landlord accepted rent from m after sending me the notice to terminate, Please explain:

_____
_____
_____

i. I already corrected the violations claimed by the landlord on the notice to terminate. Please explain: _____
_____
_____
_____

j. The landlord is not the owner of the property where I live. Please explain:

_____
_____
_____

k. I did not receive the notice to terminate or the notice was legally incorrect. Please explain:

_____
_____
_____

l. Other defenses. Please explain:

_____
_____
_____

4. You have a constitutional right to request a trial by a jury of your peers instead of a judge. However, there are some things you should know about this right:

a. You may have waived this right in your lease, so review it carefully before requesting a jury trial.

b. If you want a jury trial, you should request it in writing when you file your answer or you may waive your right to a jury trial.

c. Jury trials are not simple to conduct. You will bear some responsibility in the process and, if you are unprepared, it may be difficult to represent yourself in a jury trial. Additionally, once you request a jury trial, if you change your mind and you want the judge to decide your case, the landlord will need to agree.

d. If you have questions about whether to request a jury trial, you should speak with an attorney.

5. Select whether you want to request a jury trial: (Check only one.)

_☐__ I want a judge to decide my case.

_☐__ I want a jury to decide my case.

All of the statements made above are true and correct to the best of my knowledge and belief.

Signature: _____
Printed Name: _____
Date: _____
Address: _____
_____
Telephone: _____
E-mail Address: _____

Note: Each defendant named in the complaint for who this answer is filed must sign this answer unless the defendant's attorney signs.

STEP TWO

OBTAIN JUDGMENT

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

NON-MILITARY AFFIDAVIT

I, _____, being first duly sworn, states under penalty of perjury:

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 that the respondent is not now in the armed forces.

Date:_____

_____
Signature

_____
Name [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone

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

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

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

Name: _____
Address: _____
_____
Phone: _____

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

MOTION FOR CLERK'S DEFAULT – POSSESSION (COUNT I)

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 [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone

DEFAULT – POSSESSION (COUNT I)

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

By: _____
Deputy Clerk

_____
_____
(Insert name of Landlord)

_____
_____
(Insert name of Tenant)

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

MOTION FOR COURT DEFAULT – POSSESSION (COUNT I)

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

_____
Signature of Landlord/Plaintiff

DEFAULT – POSSESSION (COUNT I)

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 Duval County, Florida on the ____ day of _____, 20____.

_____
County Judge

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

MOTION FOR FINAL JUDGMENT – POSSESSION (COUNT I)

Plaintiff asks the court to enter a 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_____(if applicable)

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

_____
Signature

_____
Name [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone

CC:

_____
_____
_____
_____
(Insert name and address of defendant)

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

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

FINAL JUDGMENT – POSSESSION (COUNT I)

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: _____
_____

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

ORDERED in Jacksonville, Duval County, Florida on _____.

_____
County Judge

cc:
Plaintiff's Name and address
_____
_____

Defendant's Name and address
_____
_____

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

MOTION FOR/TO _____

The ☐ Plaintiff ☐ Defendant (check one) moves for entry of an order by the Court Granting the following relief (explain what you want the Court to do):

_____
_____
_____
_____

The grounds or reason for this motion are (explain):

_____
_____
_____
_____
_____
_____
_____
_____

Certificate of Service

I certify that a copy has been furnished to _____(name of other party) at _____(address or email) by email / mail / hand delivery (circle one) on _____ (date).

_____
Signature

_____
Name [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone

STEP THREE

OBTAIN WRIT OF POSSESSION

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

WRIT OF POSSESSION

IN THE NAME OF THE STATE OF FLORIDA, TO THE SHERIFF OF SAID COUNTY –
WHEREAS, judgment was rendered on the _____ day of _____, 20_____ that
_____ recover of and from _____
possession of_____
_____

You are hereby commanded to post a copy of the writ of notice, conspicuously, on said premises and after 24 hours remove all persons from said premises and to put
_____ in full possession thereof.

Given under my hand and seal of the County Court, this _____ day of _____, 20____.

JODY PHILLIPS
CLERK OF THE COURT

By: _____
Deputy Clerk

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

_____ Case No.:_____
_____ Division: _____
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

_____
Name [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone

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 Duval County, Florida on the ____ day of _____, 20____.

_____
County Judge

cc:
Plaintiff's Name and address
_____
_____

Defendant's Name and address
_____
_____

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

_____ Case No.:_____
_____ Division: _____
Plaintiff(s)

Vs.

_____
_____
Defendant(s)

NOTICE OF VOLUNTARY DISMISSAL

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

I certify that a copy of this document was [check **one** only] _____mailed _____faxed _____emailed _____hand-delivered to the person(s) listed below on the _____ day of _____, 20___.

Defendant(s): _____

Address: _____

City, State, Zip: _____

Date:_____

_____
Signature

_____
Name [Print]

_____
Address

_____
City, State, Zip Code

_____
Telephone