



**Judge Roberto "Bobby" Quintana
Justice of the Peace
Precinct 2, Place 1, Webb County, Texas**

FORCIBLE DETAINER REQUIREMENT LIST

**FILING FEE IS \$146.00 PAYABLE TO WEBB COUNTY
\$100.00 SERVICE FEE PER ADDITIONAL DEFENDANT
(CASH, MONEY ORDER, CREDIT CARD {3% FEE})**

YOU MUST SUBMIT A COMPLETE AND LEGIBLE FORM

Note: Please provide 2 copies of paperwork supporting your claim to the court when filing case.

___ **PETITION APPLICATION** – ALL SECTIONS must be completed

___ **NOTICE TO VACATE** (Letter must include: Date it was given(minimum 3 days), name of tenants, name of landlord, address of premises and/or apt. #, date to vacate, reason for evicting tenants – Ex: Default in rent payment and the amount owed)

___ **MILITARY AFFIDAVIT**

___ **LEASE AGREEMENT/RENTAL CONTRACT** (Copies). *If applicable*

___ **COPY OF FORECLOSURE DEED** (Only when banks file for possession of property-usually thru mail only)

___ **POWER OF ATTORNEY** – For representative of owner, if owner is unavailable to attend hearing

TO PLAINTIFF: Bring your original documents on hearing date to present your case to the Judge.

You may obtain additional information packets and forms by visiting:
www.tjctc.org/SRL.

CASE NO. _____

PLAINTIFF: _____

(Landlord/Property Name)

In the Justice Court, Precinct 2, Place 1
Webb County, Texas

Vs.

DEFENDANT(S) _____

Rental Subsidy (if any) \$ _____

Tenant's Portion \$ _____

TOTAL MONTHLY RENT \$ _____

EVICITION PETITION

With suit for Rent

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address	Unit No. (if any)	City	State	Zip
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1. **SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

2. **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time period(s): _____ . **TOTAL DELINQUENT RENT AS OF DATE OF FILING:** \$ _____
Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through date of trial.

3. **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations: _____

4. **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the _____ day of _____, 20____.

5. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the _____ day of _____, 20____ and delivered by this method: _____.

6. **ATTORNEY'S FEES:** Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address and phone & fax numbers are: _____.

7. **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

REQUEST FOR JUDGMENT: Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

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

DEFENDANT(S) INFORMATION (if known):

DATE OF BIRTH: _____

*LAST 3 NUMBERS OF DRIVERS LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NO. _____

Signature of Plaintiff (Landlord/Property Owner) or Agent

Address of Plaintiff (Landlord/Property Owner) or Agent

City State Zip

Phone Number Fax Number

Sworn to and subscribed before me this _____ day of _____, 20____.

Clerk of the Justice Court Or Notary

FORM 127 – SERVICEMEMBER’S CIVIL RELIEF ACT

CASE NO. _____

**AFFIDAVIT
50 USC Sec. 520**

Plaintiff being duly sworn on oath deposes* and says that defendant(s) is (are)

(CHECK ONE)

- MILITARY STATUS IS UNKNOWN AT THIS TIME
- NOT IN THE MILITARY
- NOT ON ACTIVE DUTY IN THE MILITARY AND/OR
- NOT IN A FOREIGN COUNTRY ON MILITARY SERVICE
- ON ACTIVE MILITARY DUTY AND/OR IS SUBJECT TO THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003
- HAS WAIVED HIS/HER RIGHTS UNDER THE SERVICEMEMBERS CIVIL ACT OF 2003

PLAINTIFF

*Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.