

THREE DAY NOTICE

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 _____
(Insert address of leased premises, including county)

Florida, 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 _____, _____ [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

City, State, Zip Code

Telephone Number

Approved for use under rule 10.2.1(a) of
the rules regulating The Florida Bar

The Florida Bar 1993

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

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA
 IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

DIVISION:

CIVIL

CASE NUMBER:

PLAINTIFF

VS. DEFENDANT

COMPLAINT FOR EVICTION AND DAMAGES

_____,
Insert name of Landlord
Plaintiff,

vs.

_____,
Insert name of Tenant
Defendant
/

Plaintiff, _____, sues Defendant, _____, and alleges:
(Insert name of Landlord) (Insert name of Tenant)

1. This is an action to evict a tenant from real property in _____

_____, County, Florida.
(Insert county in which the rental property is located)

2. Plaintiff owns the following described real property in said county: _____

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

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

\$ _____, payable _____.
(Insert rental amount) (Insert term of rental payments, i.e., weekly, monthly, etc.)

A copy of the written agreement, if any, is attached as Exhibit "A".

4. Defendant failed to pay the rent due _____, 20_____.
(Insert date of payment Tenant has failed to make)

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The Florida Bar 1993
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5. Plaintiff served Defendant with a notice on _____, 20 _____, to pay the rent or
(Insert date of notice)

deliver possession but Defendant refused to do either. A copy of the notice is attached, Exhibit "B".

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

COUNT II
Damages

6. This is an action for damages that do not exceed \$15,000.

7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.

8. Defendant owes Plaintiff \$ _____ that is due with interest since

_____, 20 _____
(Insert date of last rental payment tenant failed to make.)

WHEREFORE, Plaintiff demands judgment for damages against Defendant.

Landlord's Name _____

Address _____

Telephone Number _____

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Address: _____

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DIVISION:

CIVIL

CASE NUMBER:

PLAINTIFF

VS. DEFENDANT

**EVICION SUMMONS
Residential**

TO:

PLEASE READ CAREFULLY

You are being sued by _____ to require you to move out of the place where you are living for the reasons given in the attached complaint.

You are entitled to a trial to determine whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within FIVE (5) 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 or were posted at your home.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

- (1) Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the Clerk of the Court at the Sarasota County Courthouse, P.O. Box 3079, Sarasota, Florida 34230.
- (2) Mail or give a copy of your written reason(s) to Plaintiff/Plaintiff's Attorney: _____
- (3) Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of the Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney.
- (4) If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.

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

- (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 or were posted at your home. 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.

THE STATE OF FLORIDA:
TO EACH SHERIFF OF THE STATE:

You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named defendant.

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**KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT**

BY: _____ DATE: _____
Deputy Clerk

NOTIFICACION DE DESALOJO/RESIDENCIAL

A:

IRVASE 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 Edificio de los Tribunales de Condado de Sarasota , 2000 Main Street, Suite 102, P.O. Box 3079, Sarasota, Florida 34230.
- (2) Enviar por correo o darle su(s) motivo(s) por escrito a Demandante/Abogado del Demandante:
- (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 la 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.

I 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 ESSTOS 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 CURSARSELE 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, o se colocan en su casa. 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.

LISEZ ATTENTIVEMENT

A:

CITATION D'EVICITION/RESIDENTIELLE

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 prealable, 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 donnes 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 2000 Main Street, Suite 102, P.O. Box 3079, Sarasota, Florida 34230.
- (2) Envoyer ou donner une copie au Plaignant/Avocat du Plaignant,
- (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 de tribunal a l'adresse specifiee dans le paragraphe (1) et une coie 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 attiches a votre residence. Cette obligation ne fait pas partie des instructions a suivre en reponse au proces d'eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affiches a votre residence.

If you cannot afford an attorney, contact Gulfcoast Legal Services at (941)366-1746 or www.gulfcoastlegal.org, or Legal Aid of Manasota at (941)366-0038. If you do not qualify for free legal assistance or do not know an attorney, you may call an attorney referral service (listed in the phone book), or contact the Florida Bar Lawyer Referral Service at (800)342-8011 or <http://www.floridabar.org/divpgrm/ironline.nsf/wreferral6?OpenForm>.

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 Sarasota County Jury Office, P.O. Box 3079, Sarasota, Florida 34230-3079, (941)861-7400, or at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the schedule appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.