

COUNTY CIVIL DIVISION 386 326/7620

EVICTION CHECK LIST - NON PAYMENT

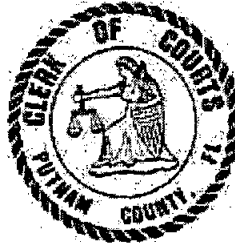
- COMPLAINT - Fully Completed
- WRITTEN NOTICE
- WRITTEN LEASE (if one exists)
- NON-MILITARY AFFIDAVIT
- CONSENT TO CASE CLOSURE AFTER 90 DAYS OF INACTIVITY
- FILING FEE - CHECK OR MONEY ORDER MADE PAYABLE TO THE "CLERK OF COURT" In the amount of \$185.00 SUMMONS FEE
 - 1 Defendant \$10.00
 - 2 Defendant \$20.00
 - 3 Defendant \$30.00
- SHERIFF'S SERVICE -- CHECK OR MONEY ORDER PAYABLE TO "PCSO"
 - 1 Defendant \$40.00
 - 2 Defendant \$80.00
 - 3 Defendant \$120.00

THE SHERIFF'S OFFICE MUST BE PAID BY CHECK OR MONEY ORDER. CASH IS NOT ACCEPTED

- ENVELOPES

Number of Defendants	Complaint	Notice	Written Lease	Number of S.A.S.E Envelopes For Parties
One (1) Defendant	Original plus 2 copies	3 copies	3 copies	2 each Party TOTAL 4
Two (2) Defendants	Original plus 4 copies	5 copies	5 copies	2 each Party TOTAL 6
Three (3) Defendants	Original plus 6 copies	7 copies	7 copies	2 each Party TOTAL 8

.15 per page will be charged for copies made by the Clerk's Office
Cost for Packet \$2.25/15 pages @ \$.15 each/Code 351



**INSTRUCTIONS FOR
THREE DAY NOTICE TO PAY RENT**

1. This is the proper notice for a tenant that has fallen behind in the payment of rent. It will give them three business days to give you payment in full.
2. When filling out a notice it must be filled out in full. You will need complete names of everyone you have an agreement with. Place these names on the top line.
3. Fill out the total amount owed in rent only. **DO NOT INCLUDE ANYTHING ON THE NOTICE EXCEPT RENT THAT IS DUE. NO LATE FEES, DEPOSITS, ELECTRIC, ETC.**
4. Fill in the date that the rent must be paid, do not count the day you are giving the notice. Count three business days: this is the date that is placed in this area. **MAKE SURE THAT YOU HAVE EXCLUDED WEEKENDS AND LEGAL HOLIDAYS.**
5. Put date of delivery, list the months for which rent is due, and write the amount that is due for each of those months.
6. Print the landlord and/or agent's name, the address where the rent should be paid (including the city, state and zip code) and a contact number.
7. Give this notice to the tenant or post on the residence.
8. **THIS IS VERY IMPORTANT:** You must keep an exact copy of what you have given to the tenant. If you have to file an eviction you will need this to be part of your case.

THREE DAY NOTICE TO PAY RENT

TO: _____

You are hereby notified that you are indebted to me in the sum of \$ _____ dollars for rent and use of the premises located at _____

A complete address must be provided (St. Dr. Ave.) lot #, city, state, and zip code

Putnam County, Florida, now occupied by you, and that I demand payment of the rent or possession of the premises within 3 days (excluding Saturdays, Sunday, and legal holidays) from the date of delivery of this notice, to wit: on or before the _____ day of _____ 20____.

Date of Delivery

List Each Month Rent Due:

Landlord/Agent

Address

City, State, Zip

Phone Number

THREE DAY NOTICE TO PAY RENT

TO: _____

You are hereby notified that you are indebted to me in the sum of \$ _____ dollars for rent and use of the premises located at _____

A complete address must be provided (St. Dr. Ave.) lot #, city, state, and zip code

Putnam County, Florida, now occupied by you, and that I demand payment of the rent or possession of the premises within 3 days (excluding Saturdays, Sunday, and Legal holidays) from the date of delivery of this notice, to wit: on or before the _____ day of _____ 20____.

Date of Delivery

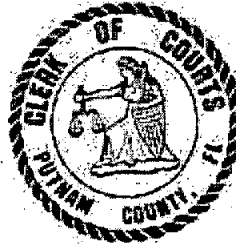
List Each Month Rent Due:

Landlord/Agent

Address

City, State, Zip

Phone Number



EVICTION INSTRUCTIONS
(Residential Use Only)

Please note: Property Owners may authorize a Property Manager or another person to act as their agent. If you are a corporation please refer to the Florida Statutes as to who can appear. This authorization will allow the agent to complete documents necessary to evict a tenant for **NON-PAYMENT OF RENT ONLY**, this includes the three (3) day notice and the complaint form. **If a hearing is scheduled, it is required that the owner or owner's attorney appear for the hearing.**

1. Complete Landlord(s) and Tenant(s) Name. **(Fill in all blank spaces)**
2. If you are also suing for back rent, the dollar amount of the back rent due may not include late fees, utilities, etc. **You are only allowed the actual amount of back rent that is due.**
3. Indicate the complete physical location of the property from which the tenant(s) is/are to be evicted. **(Include: lot numbers, unit numbers, city, state and zip)**
4. The Landlord/Agent(s) may not accept any money after the Eviction has been filed. If the defendant comes to you with money, instruct them to deposit the money with the court. Let them know there is a clerk fee that is attached, which is 3% of the first \$500.00, then 1.5% thereafter.
5. The filing fee for removal of tenant(s) is \$185.00. There is also an additional \$10.00 issue fee for each summons that needs to be issued (one summons per defendant). The eviction must be accompanied by:
 - a. The three (3) day notice and a copy of any written rental agreement, if any.
 - b. The original set of documents for the court file and two (2) copies of all documents filed for each defendant you are evicting. (Do not include children).
6. We will need two (2) self-addressed, stamped envelopes for the landlord and each tenant.
7. Sheriff's fee for service of the eviction summons is \$40.00 per defendant.
8. Notify the County Civil Division if the tenant(s) vacate the premises after the service of the eviction summons by the Sheriff's Office.

NOTE: The Clerk's Office cannot give legal advice to you or interpret the law for you. Information regarding evictions may be obtained from the Florida Statutes Chapter 83. You can link to this and other information by visiting our website at clerk.putnam-fl.com and looking at County Civil Department.

IN COUNTY COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR PUTNAM COUNTY, FLORIDA

Plaintiff,

Case NO: _____

vs.

Defendant,

COMPLAINT TO EVICT TENANT
NON PAYMENT OF RENT

1. This is an action to evict a tenant from real property located at _____, in Putnam County, Florida.
A complete address must be provided (St. Dr. Ave.) Lot #, city, state, and zip code

___ (a) The Defendant owns and occupies a Mobile Home located on real property owned by the Plaintiff:
 (1) Plaintiff's property is a **mobile home park** with more than ten (10) spaces.
 (2) Plaintiff's property is a **mobile home park** with less than ten (10) spaces.

___ (b) The Defendant occupies a mobile home owned by the Plaintiff and located on property owned by the Plaintiff.

___ (c) The Defendant occupies an **apartment** or **residential home** owned by the Plaintiff.

___ (d) The Defendant occupies **commercial property** owned by the Plaintiff.

2. The Plaintiff(s) are landlord(s) of, and the Defendant's as tenant(s) has/have possession of said property under a oral written agreement to pay rent in the amount of \$_____, payable weekly monthly agreement (you must specify whether the rental agreement is oral or written and if written, a copy must be attached)

3. On _____, _____ rent in the amount of \$ _____ was past due and owing was unpaid by the Defendant(s).

4. Plaintiff(s) served the Defendant(s) with a notice on the _____ day of _____, _____ to pay the rent or deliver possession to Plaintiff(s) but Defendant refuses to do either. A copy of said notice is attached hereto.

WHEREFORE, Plaintiff(s) demands Judgment for possession of the property and costs of the action.

Plaintiff (Owner) Signature

Street Address

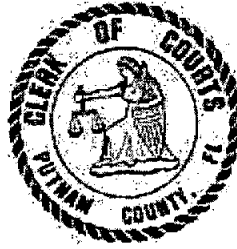
City/State/Zip

Phone Number

E-mail address

*attach a copy of written instrument

*attach a copy of written notice



2 COUNT EVICTION INSTRUCTIONS (Residential Use Only)

Please note: Property Owners may authorize a Property Manager or another person to act as their agent. If you are a corporation please refer to the Florida Statutes as to who can appear. This authorization will allow the agent to complete documents necessary to evict a tenant for **NON-PAYMENT OF RENT ONLY**, this includes the three (3) day notice and the complaint form. **If a hearing is scheduled, it is required that the owner or owner's attorney appear for the hearing.**

1. Complete Landlord(s) and Tenant(s) Name. **(Fill in all blank spaces)**
2. If you are also suing for back rent, the dollar amount of the back rent due may not include late fees, utilities, etc. **You are only allowed the actual amount of back rent that is due.** Since damages to the property can only be established after the tenant has been evicted, this amount can be marked as "To Be Determined" and added at a later date.
3. Indicate the complete physical location of the property from which the tenant(s) is/are to be evicted. **(Include: lot numbers, unit numbers, city, state and zip)**
4. The Landlord/Agent(s) may not accept any money after the Eviction has been filed. If the defendant comes to you with money, instruct them to deposit the money with the court. Let them know there is a clerk fee that is attached, which is 3% of the first \$500.00, then 1.5% thereafter.
5. The filing fee for removal of tenant(s) is \$185.00. There is also an additional \$10.00 issue fee for each summons that needs to be issued (one summons per defendant). The eviction must be accompanied by:
 - a. The three (3) day notice and a copy of any written rental agreement, if any.
 - b. The original set of documents for the court file and two (2) copies of all documents filed for each defendant you are evicting. (Do not include children).
 - c. We will need 2 self-addressed, stamped envelopes for the landlord and each tenant.
6. The Sheriff's fee for service of the eviction summons is \$40.00 per defendant.
7. Notify the court if the tenant(s) vacate the premises after the service of the eviction summons by the Sheriff's Office.

NOTE: The Clerk's Office cannot give legal advice to you or interpret the law for you. Information regarding evictions may be obtained from the Florida Statutes Chapter 83. You can link to this and other information by visiting our website at clerk.putnam-fl.com and looking at County Civil Department.

IN COUNTY COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR PUTNAM COUNTY, FLORIDA

CASE NO. _____

Plaintiff,

-vs-

Defendant,

COMPLAINT TO EVICT TENANT
NON PAYMENT OF RENT

1. This is an action to evict a tenant from real property located at _____, in Putnam County, Florida.

A complete address must be provided (St. Dr. Ave.) Lot #, city, state, and zip code

___ (a) The Defendant owns and occupies a Mobile Home located on real property owned by the Plaintiff:

- (1) Plaintiff's property is a **mobile home park** with more than ten (10) spaces.
- (2) Plaintiff's property is a **mobile home park** with less than ten (10) spaces.

___ (b) The Defendant occupies a mobile home owned by the Plaintiff and located on property owned by the Plaintiff.

___ (c) The Defendant occupies an **apartment** or **residential home** owned by the Plaintiff.

___ (d) The Defendant occupies **commercial property** owned by the Plaintiff.

2. The Plaintiff(s) are landlord(s) of, and the Defendant's as tenant(s) has/have possession of said property under a oral written agreement to pay rent in the amount of \$ _____, payable weekly monthly agreement (you must specify whether the rental agreement is oral or written and if written, a copy must be attached)

3. On _____, _____ rent in the amount of \$ _____ was past due and owing was unpaid by the Defendant(s).

4. Plaintiff(s) served the Defendant(s) with a notice on the _____ day of _____, _____ to pay the rent or deliver possession to Plaintiff(s) but Defendant refuses to do either. A copy of said notice is attached hereto

COUNT II - DAMAGES

5. Plaintiff(s) reiterates and re-alleges Paragraphs 1, 2, and 3 of Count 1.

6. Defendant(s) owes the Plaintiff rent in the amount of \$ _____.

WHEREFORE, Plaintiff(s) demands Judgment for possession of the property, and damages in the amount of \$ _____, and costs of this action.

Plaintiff (Owner) Signature

Street Address

City/State/Zip

Phone Number

E-mail address

*attach a copy of written instrument

*attach a copy of written notice

NON MILITARY AFFIDAVIT

When should this form be used?

(SCRA) Service Members Civil Relief Act

This form should be used if you **KNOW OR DO NOT KNOW** whether the other party in your case is on Active duty in a branch of the military service of the United States. "Active duty" includes reserve personnel of the Army, Navy Air Force, Marine Corps, and Coast Guard, and members of the Florida National Guard who have been called to active duty for more than thirty (30) days. Even if you believe that the other party **never** or **would never** join the military, you must show that court proof that he or she is not a member of the military. Therefore, you may need to use this form to provide the court with such proof.

This website will provide you with the current active military status of an individual enlisted in the Army, Navy, Air Force, and Marines.

<http://www.dmdc.osd>

IN THE COUNTY COURT, SEVENTH JUDICIAL CIRCUIT
IN AND FOR PUTNAM COUNTY, FLORIDA

Plaintiff,

-vs-

CASE NO.: _____

DIVISION 63

Defendant,

AFFIDAVIT OF MILITARY SERVICE

I, {full legal name} _____, am the Plaintiff in this case. To support my application for a default to comply with the Service members Civil Relief Act (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), I swear or affirm that the following information is true: [please choose only one]

1. ___ I know of my own personal knowledge that the Defendant IS on active duty in the military service of the United States.
2. ___ I know of my own personal knowledge that Defendant IS NOT now on active duty in the military service of the United States, nor has the Defendant been on active military service of the United States within a period of thirty (30) days immediately before this date. "Active Service" includes reserve members of the Army, Navy, Air Force, Coast Guard, and Marines who have been ordered to report for active duty and members of the Florida National Guard who have been ordered to report to active duty for a period of more than thirty (30) days.
3. ___ I have contacted the military services of the United States and the U.S. Public Health Service and have obtained certificates showing that the Defendant is not on active duty status. These certificates are attached.
4. ___ I have attempted to determine the military status of the Defendant, but do not have sufficient information. This is what I have done to determine whether or not Defendant is on active duty in the United States military:

I have no reason to believe that s/he is on active at this time.

I hereby certify that a true and correct copy of the Affidavit of Military Service will be included with the initial serve of process to the above named Defendant(s).

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Plaintiff _____

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-Mail _____

STATE OF FLORIDA COUNTY OF PUTNAM

Sworn to or affirmed and signed before me on _____

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

___ Personally known

___ Produced identification

___ Type of identification produced _____

IN THE COUNTY COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR PUTNAM COUNTY, FLORIDA

CASE NO.: _____

Plaintiff(s)

DIVISION: 63

vs..

Defendant(s)
_____ /

CONSENT TO CASE CLOSURE AFTER 90 DAYS OF INACTIVITY
Eviction – Possession Only

I, _____ (Plaintiff/Landlord) hereby consent, without further notice to the dismissal and closure of this case file after 90 days of inactivity have elapsed.

I hereby certify that a true and correct copy of the Consent will be included with the initial serve of process to the above named Defendant(s).

DATED this ____ day of _____, 20____.

Plaintiff/Landlord

POSSESSION

IF THE DEFENDANT FILES AN ANSWER

If the Defendant files an answer to the eviction, the answer will be referred to the Judge for review and may or may not be set for hearing before the County Judge based on any issues within the tenants response.

IF NO ANSWER IS FILED AFTER 5 DAYS

If the Defendant fails to vacate or file a written answer within the 5 days as required by the summons, the landlord will be entitled to a Default.

The landlord should come to the Clerk's office to file a Motion for Default and motion for Final Judgment of Possession.

The case file will be taken to the County Judge. If the Judge finds that the landlord has met all the requirements and is entitled to possession of the premises, then he will enter an order for the Clerk to issue a Writ of Possession.

SHERIFF TO SERVE WRIT OF POSSESSION

The sheriff will serve the Writ of Possession on the Tenant. The writ gives the defendant 24 hours to vacate. The service fee for the Writ of Possession is \$90.00.

If the defendant fails to move within 24 hours, the sheriff can physically remove the tenant from the property.

Exception: the tenant has 24 hours to remove his mobile home from the landlord's property or 10 days if it is located in a mobile home park.

IN THE COUNTY COURT, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR PUTNAM COUNTY, FLORIDA

CASE NO. _____
DIVISION: 63

Plaintiff,

vs.

Defendant,

MOTION FOR CLERK'S DEFAULT & MOTION FOR ORDER OF WRIT OF POSSESSION

Plaintiff(s) move for default against the defendant(s) _____

For failure to

- serve any papers on the undersigned or file any papers as required by law.
- deposit rent in the court registry as required by law.

And Motion For Order of Writ of Possession

Plaintiff(s)

CLERK'S DEFAULT

A default is hereby entered in this action against the Defendant named in the foregoing motion for failure to:

- serve or file any papers as required by law.
- deposit rent in the court registry as required by law.

Dated this ____ day of _____, 20__.

TIM SMITH
CLERK OF COUNTY COURT

By: _____
Deputy Clerk

DAMAGES (AFTER THE TENANT HAS MOVED)

The landlord should come to the Clerk's office to file an Affidavit as to Damages & Request for Hearing with supporting documents.

The landlord must supply the Clerk's office with a current address before the Final Hearing can be set.

The affidavit will be forwarded to the Judge's office for a Notice of Hearing to be prepared.

This Notice of Hearing must be personally served on the Defendant, therefore a \$40.00 service is required.

If the Landlord establishes his claim at the Final Hearing a judgment will be entered.

THE EFFECT OF A MONEY JUDGMENT

The landlord should know that getting a money judgment against the tenant does not mean he will get the money. The Judge cannot order anyone to pay a judgment. The purpose of the court is to apply the law to the facts presented and determine who is legally indebted to whom and how much money is owed. Entry of a judgment allows the party winning the suit to legally proceed to collect the judgment.

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
PUTNAM COUNTY, FLORIDA
COUNTY CIVIL DIVISION

Plaintiff,

CASE NO. _____ EV

vs.

Defendant,

AFFIDAVIT AS TO DAMAGES & REQUEST FOR HEARING
STATE OF FLORIDA
COUNTY OF PUTNAM

BEFORE ME, the undersigned authority, personally appeared _____,
who being first duly sworn, says:

I am ___ the Plaintiff or ___ the Plaintiff's agent (Check the appropriate response) in this case
and am authorized to make this affidavit

This affidavit is based on my own personal knowledge.

Defendant had possession of the property which is the subject of this eviction under an
agreement to pay rent of _____ per _____.

Defendant has not paid the rent due since _____.

Defendant owes Plaintiff rent in the amount of \$ _____ as alleged in the complaint.

Defendant owes Plaintiff damages in the amount of \$ _____ as alleged in the
complaint.

Affiant

Deputy Clerk/Notary Public

Name: _____

Commission No.: _____

My Commission Expires: _____

I CERTIFY that I have ____ mailed, ____ telefaxed and mailed, or ____ hand delivered a copy of this affidavit to the Defendant at _____

Affiant