

EVICTION CHECK LIST TERMINATION OF RENTAL AGREEMENT

- 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 FEE – 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 Plaintiff | Number of S.A.S.E Envelopes Each Defendant |
|----------------------|------------------------|----------|---------------|-------------------------------------------|--------------------------------------------|
| One (1) Defendant | Original plus 2 copies | 3 copies | 3 copies | 2 | 2 TOTAL |
| Two (2) Defendants | Original plus 4 copies | 5 copies | 5 copies | 2 | 4 TOTAL |
| Three (3) Defendants | Original plus 6 copies | 7 copies | 7 copies | 2 | 6 TOTAL |
| Four (4) Defendants | Original plus 8 copies | 9 copies | 9 copies | 2 | 8 TOTAL |

.15 per page will be charged for copies made by the Clerk's Office
 Cost for Packet \$2.40/16 pages @ \$.15 each/Code 351



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 information by visiting our website at clerk.putnam-fl.com

15 DAY NOTICE OF TERMINATION INSTRUCTIONS
(Residential Use Only)

1. This is the proper notice for a tenant that is no longer under a written lease or at the end of the lease term when you have made the decision you no longer want to rent to this tenant.
2. The notice must be filled out in full. You will need complete names and address of everyone with whom you have an agreement. Place these names on the top line.
3. Fill out the complete address of property from which the person(s) is/are being evicted.
4. Fill in the number of days that they have to vacate the property. There must be at least 15 days, but it can be more than 15. (If you have a written agreement that says you will give more than the 15 days required by Florida Statute you should honor your agreement.)
5. Put date by which they have to vacate on the line that says "to wit: _____". This should be the day that the rent is due. **The Florida Statutes clearly state that this notice must be given at least 15 days before the next rent is due. The date of delivery of the notice is not counted in the 15 straight calendar days.**
6. Put the date you are giving this notice and sign your name.
7. Put how this notice was served (such as "John Smith", or "posting on front door"). Date it and sign your name again.
8. Give this notice to the tenant or post it on the front door of the residence.
9. **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.
10. If an eviction is to be filed, you may find instructions in our office or on our website (clerk.putnam-fl.com).

NOTICE OF TERMINATION OF TENANCY

TO: _____

YOU ARE HEREBY NOTIFIED that your tenancy is hereby terminated and you are to remove yourself from the property described as: _____ in
A complete address must be provided (St. Dr. Ave.) lot #, city, state, and zip code

Putnam County, Florida, and deliver possession to the undersigned within _____ days from the date of delivery of this notice, to wit: the _____ day of _____ 20____.

This notice served on _____ on the _____ day of _____ 20____.

Owner or Authorized Agent

Original: Tenant
Copy: Owner

NOTICE OF TERMINATION OF TENANCY

TO: _____

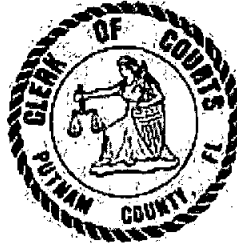
YOU ARE HEREBY NOTIFIED that your tenancy is hereby terminated and you are to remove yourself from the property described as: _____ in
A complete address must be provided (St. Dr. Ave.) lot #, city, state, and zip code

Putnam County, Florida, and deliver possession to the undersigned within _____ days from the date of delivery of this notice, to wit: the _____ day of _____ 20____.

This notice served on _____ on the _____ day of _____ 20____.

Owner or Authorized Agent

Original: Tenant
Copy: Owner



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 in County Civil Department.

COMPLAINT FOR EVICTION 15 DAY NOTICE 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. This includes the fifteen (15) 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. 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).**
3. Indicate how Defendant came in possession of property, circle either written or oral, put in the amount of rent that is due per month and the day this rent is due.
4. Indicate the date notice was served on the defendant and the date they were to deliver possession.
5. 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.
6. 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 fifteen (15) 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, one for each defendant you are evicting. (Do not include children).
 - c. We will need two (2) self-addressed stamped envelopes addressed for the landlord and each tenant.
7. The Sheriff's fee for service of the eviction summons is \$40.00 per defendant.
8. Notify the County Civil Division of any tenant(s) vacating the premises after the service of the eviction summons by the Sheriff's Office.

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

Plaintiff,

CASE NO: _____
DIVISION: _____

vs.

Defendant,

COMPLAINT FOR EVICTION
(Other Than Failure to Pay Rent)

Plaintiff, _____ sues Defendant, _____ and
alleges:

1. This is an action to evict a tenant from real property, located in Putnam County, Florida.
2. The Plaintiff(s) own(s) the following described real property in said county:

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

3. Defendant(s) has/have possession of the said property under an oral / written agreement to pay rent in the amount of \$_____, payable weekly / monthly, on the _____ day of each _____, a copy of any written agreement being attached hereto.
4. Plaintiff(s) served notice on the Defendant(s) on _____ 20____, that Defendant's tenancy was terminated and that the Defendant(s) was to vacate the premises and deliver Possession of said premises to the Plaintiff on or before _____, 20____ that Defendant holds over and continues in possession of said premises after the expiration of notice without permission of Plaintiff. A true copy of the Notice of Termination of Tenancy is attached hereto.

WHEREFORE, Plaintiff(s) demand judgment for possession of said property against Defendant and removal of Defendant.

Signature of Plaintiff: _____

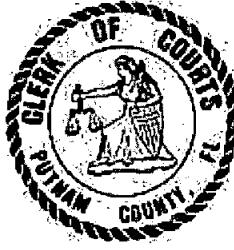
Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-Mail: _____



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 **TERMINATION OF RENTAL AGREEMENT**, this includes the fifteen day (15) 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. 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)**
3. 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.
4. 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 termination 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.
5. The Sheriff's fee for service of the eviction summons is \$40.00 per defendant.
6. 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 in County Civil Department.

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

COUNTY CIVIL DIVISION

CASE NO. _____

Plaintiff,

vs.

Defendant,

_____/

COMPLAINT TO EVICT TENANT AND SUIT FOR MONEY DAMAGES
(Other Than Failure to Pay Rent)

The Plaintiff sues the Defendant and alleges:

1. Landlord is the owner of the following described property in Putnam County, Florida.

2. On the _____ day of _____, _____, landlord entered into a (written/oral) agreement with the tenant.
3. Said agreement required the tenant to pay \$_____ for rent per (month/week) commencing the _____ day of _____, _____.
4. On the _____ day of _____, _____, landlord gave written notice to the tenant Terminating the rental agreement, a copy of said notice is attached to plaintiff's complaint.
5. Tenant holds over and refuses to vacate the Premises.

WHEREFORE, landlord prays that this court will grant him possession of the premises, and cost.

COUNT II – DAMAGES

- 4. This is an action for damages that do not exceed \$15,000.00
- 5. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.
- 6. Defendant(s) owes Plaintiff rent in the amount of \$_____.

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

Plaintiff/Landlord/Agent Signature

Print Name & Title

Street Address

City/State/Zip

Phone Number

e-mail address

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

By _____ who is/are personally known to me or has/have produced as identification

By: _____ or _____
Deputy Clerk Notary Public Signature

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 _____ by _____.

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

Plaintiff(s)

CASE NO.: _____

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 furnished by U.S. mail or 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 (and posted the rent money, if applicable), the case will be set for hearing before the County Judge to determine if and when the defendant has to vacate the property (and who is to receive the money in the Court Registry, if applicable.)

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 DEFAULT & MOTION FOR ORDER FOR 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.

Plaintiff(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)

IF NO ANSWER IS FILED AFTER 20 DAYS

If the defendant fails to file a written answer, within 20 days as required by the summons (provided the tenant was personally served), the landlord should come to the Clerk's office to file an Affidavit as to Damages 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 can not 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 _____ EV _____

vs.

Defendant,

AFFIDAVIT AS TO DAMAGES

STATE OF FLORIDA
COUNTY OF PUTNAM

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

1. I am the Plaintiff or the Plaintiff's agent (Check the appropriate response) in this case and am authorized to make this affidavit.
2. This affidavit is based on my own personal knowledge.
3. Defendant has possession of the property which is the subject of this eviction under an agreement to pay rent of _____ per _____.
4. Defendant has not paid the rent due since _____.
5. Defendant owes Plaintiff rent in the amount of \$ _____ as alleged in the complaint plus interest.
6. Defendant owes Plaintiff damages in the amount of \$ _____ as alleged in the complaint plus interest.

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