

Court Date: _____ Time: _____ No. _____

I hereby acknowledge the above court date and understand if the Plaintiff fails to appear, the case may be Dismissed for Want of Prosecution. X _____ (please initial and date)

Plaintiff(s): _____
Agent or Attorney: _____
Address: _____

IN THE JUSTICE COURT

City State Zip
Home Phone: (_____) _____

PRECINCT ONE

VS.

Defendant(s): _____
Home Address: _____

DENTON COUNTY, TEXAS

City State Zip
Home Phone: (_____) _____

Date of Birth: _____ Please provide if you have this information. This is not a requirement.

PETITION FOR EVICTION-Removal of Manufactured Home from Leased Lot in Manufactured Home Community

TO THE HONORABLE JUDGE OF THE COURT PLEASE MAKE SURE ALL SPACES ARE COMPLETELY FILLED OUT

1. This suit is brought to regain possession of the premises located at _____, Lot No. _____, within a manufactured home community which has four or more lots offered for lease for installing and occupying manufactured homes, and which is located within the boundaries of Justice of the Peace Precinct One, Denton County, Texas.

2. The owner/landlord of the premises is: _____.

3. The tenant in the premises is _____, who gained possession of the premises on or about _____ and who still maintains possession of the premises.

4. The above-named defendant

- is not in the military service on active duty, and is not a dependant of a service member on active duty
- is in the military service on active duty
- I have been unable to determine whether or not the defendant is in the military service on active duty

I understand that any false statements in this document are made under penalty of perjury, and that making a false statement is a violation of Federal Law and is subject to both fine and imprisonment.

5. There is a lien on the manufactured home located at the premises held by: _____ whose address is _____

- There is no known lien on the manufactured home that is the subject of this proceeding.
- The tenant did not disclose to the owner/landlord the name of any person holding a lien on the manufactured home that is the subject of this proceeding.

6. I know of no other home or work addresses of the defendant in the county where the premises are located.

The tenant gave written notice to the landlord that the tenant does not occupy the manufactured home lot as a primary residence and requested notices be sent to the tenant's primary residence at _____

7. The tenant gained possession of the premises through: *check one*: a written lease; an oral agreement; forcible entry; sufferance of the owner/landlord; sub-lease

8. The rent is \$_____ per month and is payable on the _____ day of each month.

9. The owner/landlord claims owner/landlord should regain possession of the premises because:

9A. Non-payment of lot rent: Tenant failed to timely pay rent or other amounts due under the lease that in the aggregate equal the amount of at least one month's rent. The landlord has notified the tenant in writing that the payment is delinquent and the tenant did not tender the delinquent payment in full before the 10th day after the date the tenant received notice.

9B. Other breach of lease agreement: Tenant has breached the lease agreement as follows: _____

9C. Holdover: Tenant gave written notice to landlord of Tenant's intent to vacate on _____ and has held over beyond that date; Landlord gave Tenant written notice of non-renewal of the lease agreement at least 60 days before the date of the expiration of the lease on _____ and Tenant has held over beyond that date.

10. Written notice to vacate and demand for possession of the premises was given to tenant on the _____ day of _____, 20____, in the following manner: *check all that apply:* certified mail; regular mail; delivery in person; attaching to inside of main entry door; the dwelling has no mailbox and a keyless bolting device, alarm system or dangerous animal that prevented the landlord from entering the premises to leave the notice to vacate on the inside of the main entry door, and the notice was affixed securely on the outside of the main entry door; personal delivery to a person 16 years of age or older occupying the leased premises.

11. Owner/landlord seeks: *Check all that apply*

- to regain possession of Lot # _____ and an order for the removal of the manufactured home from the premises
- back rent in the amount of \$ _____ at the time of filing, plus any rents accruing through the date of judgment
- Court costs
- reasonable attorney's fees
- the issuance of a Writ of Possession
 - 30 days after the date of judgment if the tenant pays rent due under the lease for that thirty-day period
 - on the date following the expiration of Defendant's time for appeal.

Plaintiff

Agent or Attorney

PRINTED NAME OF PLAINTIFF

PRINTED NAME OF AGENT OR ATTORNEY

SUBSCRIBED AND SWORN TO before me by the above-named Plaintiff/Agent/Attorney whose signature is subscribed above, who after first being sworn by me on oath said that the facts as stated in the above instrument are true and correct, to certify which witness my hand and official seal this _____ day of _____, 20____.

Notary Public/Court Clerk