{%p set answer\_title = “Defendant’s Answer and Affirmative Defenses” %}

{%p if original\_hearing\_date\_past %}

{%p set answer\_title\_full = answer\_title + “\nWITH MOTION FOR LEAVE TO FILE RESPONSIVE PLEADINGS” %}

{%p else %}

{%p set answer\_title\_full = answer\_title %}

{%p endif %}

{{p include\_docx\_template('include\_caption.docx',caption\_title = answer\_title\_full) }}

{%p if original\_hearing\_date\_past %}

**MOTION FOR LEAVE TO FILE RESPONSIVE PLEADINGS**

{{ tenant\_doc\_name }} seeks leave to file {{ answer\_title }} pursuant to § 517.031 RSMo.

{%p endif %}

**ANSWER**

{{ tenant\_doc\_name }} files no answer. However, all allegations of {{ landlord\_doc\_name }}’s petition are denied pursuant to § 517.031 RSMo.

**AFFIRMATIVE DEFENSES**

{{ tenant\_doc\_name }} requests {{ landlord\_doc\_name }}’s claims be dismissed because of the affirmative defenses the Tenant has marked below:

1. {%p if defense[‘strict\_details’] %}
2. {{ landlord\_doc\_name }}’s Petition fails to provide the strict details required for a rent and possession case.
   1. As a summary rent proceeding, the {{ landlord\_doc\_name }}’s statement must comply with the statute to provide the {{ tenant\_doc\_name }} a chance to calculate the rent and costs due before the trial. The {{ tenant\_doc\_name }}’s opportunity to “pay and stay” is denied if {{ tenant\_doc\_name }} cannot calculate the rent and costs.
   2. The {{ landlord\_doc\_name }}’s Petition does not make a proper claim for rent and possession because:
      1. {%p if petition\_alleges\_nonrent %}
      2. it contains non-rent charges only and claims no actual rent
      3. {%p endif %}
      4. {%p if not petition\_states\_rent\_amount or not petition\_states\_rent\_periods or not petition\_states\_terms\_of\_lease or not petition\_states\_demand\_made %}
      5. it does not contain
         1. {%p if not petition\_states\_rent\_amount %}
         2. the amount of rent due at the time of filing
         3. {%p endif %}
         4. {%p if not petition\_states\_rent\_periods %}
         5. the rental periods allegedly owed in order to calculate the total actual rent owed
         6. {%p endif %}
         7. {%p if not petition\_states\_terms\_of\_lease %}
         8. The terms of the lease
         9. {%p endif %}
         10. {%p if not petition\_states\_demand\_made %}
         11. A statement that actual demand for rent was made to the {{ tenant\_doc\_name }} or occupant of the premises
         12. {%p endif %}
      6. {%p endif %}
      7. {%p if trial\_court\_county == “St. Louis County” and not petition\_separates\_nonrent %}
      8. a proper itemization of money damages that separates the non-rent claims (such as late fees, interest, utilities, parking fees, and other non-rent items) from the total actual rent {{ landlord\_doc\_name }} is demanding.
      9. {%p endif %}
3. {%p endif %}
4. {%p if defense[‘payment\_refused’] %}
5. {{ landlord\_doc\_name }} refused to accept all or some of the rent alleged due in this case.
6. {%p endif %}
7. I have set forth reasons for dismissal of {{ landlord\_doc\_name }}’s action against me, but other reasons may also exist.

{{ tenant\_doc\_name }} requests the Court dismiss {{ landlord\_doc\_name }}’s Petition, and grant any other relief that is proper.

{{p include\_docx\_template('include\_signature.docx', certificate\_of\_service\_type =”short”) }}