

PROPOSAL TO AMEND MICHIGAN COURT RULE 4.201 SUMMARY PROCEEDINGS

INTRODUCTION

The State Court Administrative Office reported in 2015 that there were 217,024 landlord-tenant cases filed in Michigan.¹ What those cases have in common is that each one determined whether families and individuals would be able to provide themselves with safe, stable housing. Michigan's Campaign to End Homelessness stated in its 2015 State of Homelessness report that Michigan had 99,975 homeless residents, of which over 23,700 were young children.²

Evictions can lead to transitional or long-term homelessness. Many Michiganders have to balance very fragile budgets. Homelessness can begin with an unexpected illness or death in the family, an expensive car repair, sudden reduction of income, or other emergency. Evictions damage credit, leave tenants open to collection actions, and impair future procurement of housing. Many Michiganders lack the resources to recover from the consequences of evictions and, as a result, become homeless.

There are many benefits of ending or reducing homelessness. Those benefits were officially recognized in Governor Rick Snyder's 2015 Executive Order creating Michigan's Interagency Council on Homelessness. The order provides that "ending or reducing homelessness contributes to economic development and improves the overall quality of life within our communities. . ."³ It is estimated that each homeless person costs society an average of \$2,897 per month in additional burden on government services such as emergency care and police.⁴

Adopting the proposed amendment advances society's interest in fair, safe housing and prevents homelessness by promoting judicial economy and advancing principles of equity and due process.

STATEMENT OF NEED

There are three major obstacles inherent in eviction proceedings that frustrate the principles of due process, increase costs on litigants, and add to the administrative burden on courts.

First, the eviction process is hard to navigate because the breadth of housing law is so expansive. Eviction cases can encompass common law claims, constitutional rights, and both federal and state laws and regulations. Courts and litigants must adhere to many statutory considerations and regulatory schemes over the course of a housing case. Those laws and regulations require different considerations be made for domestic violence victims, mobile homes, public housing laws and regulations, habitability issues, due process and civil rights issues. Each case requires individualized

¹ Michigan State Court Administrator's Office, *2015 Court Caseload Report: Statewide Circuit Court Summary*, <http://courts.mi.gov/education/stats/Caseload/Documents/Caseload/2015/Statewide.pdf> (2015).

² Michigan's Campaign to End Homelessness, Mich. State Housing Dev. Authority, *Ending Homelessness in Michigan 2015 Annual Report*, http://thecampaigntoendhomelessness.org/LinkClick.aspx?fileticket=4Dde_ZeK0z4%3d&tabid=68 (2015).

³ 2 Mich. Reg. 28-31 (Feb. 15, 2015).

⁴ "Where We Sleep: The Costs of Housing and Homelessness in Los Angeles", Daniel Flaming, Nov. 1, 2009 available at: <https://economics.org/publication/where-we-sleep/>

application of the law, tailored to its unique circumstances. Leaving tenants to navigate those laws without accurate and reliable information obstructs tenants' ability to make informed decisions and can result in delaying the process and rights going unenforced.

Second, the accelerated timeline of summary proceedings leaves little time for tenants to prepare. Summary proceedings were purposely accelerated by design. The Complaint can be served on the tenant as little as 3 days before the hearing.⁵ That leaves the tenant with very little time to seek out information, advice, possibly obtain counsel, gather evidence, and potentially find alternative housing. As a result, when tenants appear in court uninformed and unprepared, courts must spend time informing each tenant individually.

Third, very few tenants are represented by counsel. Unrepresented and uninformed parties frustrates the administration of justice. They are likely to file improper motions, answers, present invalid claims orally at the hearing based on misinformation they obtained from unreliable sources, and neglect to raise valid ones.

Without pre-hearing access to information, advice, and resources, prior to the initial appearance, a tenant is often forced to rely on information provided by the landlord or the landlord's attorney or in a courtroom under systemic pressures to adjudicate cases expediently. It is a process ripe for the under-enforcement of tenant rights and other abuses.

PROPOSED AMENDMENT

MCR 4.201(B)(1)(g) – *new*

(B) Complaint.

(1) In General. The complaint must:

- (a) comply with the general pleading requirements;
- (b) have attached to it a copy of any written instrument on which occupancy was or is based;
- (c) have attached to it copies of any notice to quit and any demand for possession (the copies must show when and how they were served);
- (d) describe the premises or the defendant's holding if it is less than the entire premises;
- (e) show the plaintiff's right to possession and indicate why the defendant's possession is improper or unauthorized; ~~and~~
- (f) demand a jury trial, if the plaintiff wishes one. The jury trial fee must be paid when the demand is made; **and**

*****(g) have attached to it a copy of a local court form based on a template developed the state court administrator, and lists sources of information about the law and tenant's rights, local sources of pro bono legal advice and representation, and potential financial and emergency housing assistance.**

⁵ See MCR 4.201(C) and MCR 600.5735(2)).

OBJECTIVE OF AMENDMENT

The objective of the amending MCR 4.201(B)(1) is to mitigate the above-mentioned obstacles and to strike a balance between the competing interests of due process with the legislative intent behind the Summary Proceedings Act and improve judicial economy through the creation of a Tenant's Rights and Resources Form. The form, required to be attached to all Complaints to Recover Possession filed under summary proceedings jurisdiction, would list relevant and geographically-specific resources to: (i) find informational materials about the law and where to obtain legal advice; (ii) access *pro bono* services; (iii) identify sources of housing-related emergency financial assistance; and (iv) identify emergency housing services, e.g. local shelters.

BEST PRACTICES FOR IMPLEMENTATION

To achieve maximum benefit, the contemplated form must (i) provide quality locally-specific information about housing law, the court process, and resources (ii) at the precise time it is most useful and impactful and (iii) in a manner reasonably calculated to reach all who may need it. A court rule that mandates both the types of information to be provided and the time at which it is provided is the best way to accomplish those objectives.

Inadequacies of Michigan's Current Tenant Notice

Currently, Michigan law requires certain statements to be included on the summons for possession.

MCR 4.201(C) states:

- (1) The summons must also include the following advice to the defendant:
 - (a) The defendant has the right to employ an attorney to assist in answering the complaint and in preparing defenses.
 - (b) If the defendant does not have an attorney but does have money to retain one, he or she might locate an attorney through the State Bar of Michigan or a local lawyer referral service.
 - (c) If the defendant does not have an attorney and cannot pay for legal help, he or she might qualify for assistance through a local legal aid office.
 - (d) The defendant has a right to a jury trial which will be lost unless it is demanded in the first defense response, written or oral. The jury trial fee must be paid when the demand is made, unless payment of fees is waived or suspended under MCR 2.002.

Michigan has a State Court Administrator-approved summons specific to landlord-tenant actions available for use. The summons identifies two sources of information for tenants: the State Bar Lawyer Referral System and Michigan Legal Help's website, which are great resources and both should continue to be included. But to achieve the maximum benefit, more available resources should be listed as well. The proposed amendment addresses those inadequacies, specifically the lack of information regarding housing law and locally relevant legal, financial, and housing resources.

Other States' Approaches

A survey of the notice requirements of several jurisdictions nationwide, namely Oregon, Washington, California, New York, New Jersey, Massachusetts, Pennsylvania, and Washington DC, provided an

additional baseline for comparison with Michigan's notice standards. Approved forms from said jurisdictions have been attached hereto in Appendix.

Similar to Michigan, each jurisdiction requires notice of certain rights, procedures, and possible consequences be given to defendants in eviction actions via the summons, ensuring that the information is provided before the hearing and reaches all named parties. However, the information required to be provided and the mechanism for implementation vary significantly across jurisdictions.

Oregon⁶ and Washington⁷ both require the summons to include specific language concerning the procedural rights of tenants. Neither state identified other resources. Oregon does require the summons to state that a mediator may be made available to the parties and provides the phone number to the Oregon State Bar Referral Service, but neither state identified other resources. Similarly, New York⁸ and Pennsylvania⁹ also provided guidance on procedure, but neglect to provide any resources to tenants.

⁶ Oregon Revised Statutes, O.R.S. § 105.113, Form of Summons: "Notwithstanding ORCP 7 C, for premises to which ORS chapter 90 or ORS 91.120 applies, the summons must be in substantially the following form and be available from the court clerk:"

⁷ Revised Code of Washington, R.C.W. 59.18.365(3)"The summons for unlawful detainer actions for tenancies covered by this chapter shall be substantially in the following form:".

⁸ McKinney's Consolidated Laws of New York Annotated, McKinney's RPAPL § 732: "If the appropriate appellate division shall so provide in the rules of a particular court, this section shall be applicable in such court in a proceeding brought on the ground that the respondent has defaulted in the payment of rent; in such event, all other provisions of this article shall remain applicable in such proceeding, except to the extent inconsistent with the provisions of this section.

1. The notice of petition shall be returnable before the clerk, and shall be made returnable within five days after its service.
2. If the respondent answers, the clerk shall fix a date for trial or hearing not less than three nor more than eight days after joinder of issue, and shall immediately notify by mail the parties or their attorneys of such date. If the determination be for the petitioner, the issuance of a warrant shall not be stayed for more than five days from such determination.
3. If the respondent fails to answer within five days from the date of service, as shown by the affidavit or certificate of service of the notice of petition and petition, the judge shall render judgment in favor of the petitioner and may stay the issuance of the warrant for a period of not to exceed ten days from the date of service.
4. The notice of petition shall advise the respondent of the requirements of subdivisions 1, 2, and 3 above.

⁹ Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before a Magisterial District Judges, No. 504, Pa. R. Civ. P. MAG DIST J RULE 504(4):" (4) Deliver a copy of the complaint form with hearing time and date thereon for service as hereinafter set forth, which copy shall contain the following notice:

- (a) If you have a defense to this complaint, you may present it at hearing.
- (b) If you have a claim against the plaintiff arising out of the occupancy of the premises, which is within magisterial district judge jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office before the time set for the hearing.
- (c) If you do not appear at the hearing, a judgment for possession and costs, and for damages and rent if claimed, may nevertheless be entered against you. A judgment against you for possession may result in your eviction from the premises."

Massachusetts¹⁰ and California¹¹ require the mandatory use of court-approved forms. Massachusetts' court-approved form explains procedures to the tenant and the consequences of not following those procedures in both English and Spanish. But it does not identify any resources. California similarly requires use of a two-paged, bi-lingual summons listing instructions for tenants on how to respond to the action, where to find appropriate forms, and the web address for California Court's Online Self-Help Center and California Legal Services. California's online resources, while helpful, are limited in reach because those most likely to need those resources also likely lack access to computers and the internet.

New Jersey¹² also requires the mandatory use of court-approved forms. In its bilingual summons it advises tenants that there are resources available to obtain pro-bono representation, free legal advice, and housing assistance. However, the form requires the landlord to actually 'fill-in-the-blanks' with contact information for local resources, which could compromise the accuracy of the information.

¹⁰ See Massachusetts General Laws, Uniform Summary Process Rule 2, MA R SUM PROC Rule 2(c): "Form of Summons and Complaint; Entry of Action; Scheduling of Trial Date; Service of Process. (c) The form of Summary Process Summons and Complaint, as promulgated by the Chief Administrative Justice of the Trial Court, shall be the only form of summons and complaint used in summary process actions. This form of Summary Process Summons and Complaint shall be considered a writ in the form of an original summons as required by G.L. c. 239, § 2. This form shall be available in blank at each of the courts at which summary process actions may be commenced."

¹¹ See California Code of Civil Procedure, Cal.C.C.P. § 1167: "The summons shall be in the form specified in Section 412.20. . .". Cal.C.C.P. § 412.20: "Summons; formalities; contents: ...

(a) Except as otherwise required by statute, a summons shall be directed to the defendant, signed by the clerk and issued under the seal of the court in which the action is pending, and it shall contain:...

(4) A notice that, unless the defendant so responds, his or her default will be entered upon application by the plaintiff, and the plaintiff may apply to the court for the relief demanded in the complaint, which could result in garnishment of wages, taking of money or property, or other relief.

(5) The following statement in boldface type: "You may seek the advice of an attorney in any matter connected with the complaint or this summons. Such attorney should be consulted promptly so that your pleading may be filed or entered within the time required by this summons."

(6) The following introductory legend at the top of the summons above all other matter, in boldface type, in English and Spanish: "Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read information below."

(b) Each county may, by ordinance, require that the legend contained in paragraph (6) of subdivision (a) be set forth in every summons issued out of the courts of that county in any additional foreign language, if the legend in the additional foreign language is set forth in the summons in the same manner as required in that paragraph.

¹² New Jersey Rules of Court, NJ R LAW DIV CIV PT R. 6:1-1(g) Forms. "The forms contained in Appendix XI to these rules are approved and, except as otherwise provided in R. 6:2-1 (form of summons) and R. 6:7-2(b) through (g) (information subpoena), suggested for use in the Special Civil Part. Samples of each form shall be made available to litigants by the Clerk of the Special Civil Part."

New Jersey Rules of Court, NJ R LAW DIV CIV PT R. 6:2-1. Form of Summons: "The form of the summons shall conform with the requirements of R. 4:4-2 and shall be in the form set forth in Appendix XI-A(1) to these Rules or, for small claims, in the form set forth in Appendix XI-A(2) or, for tenancy actions, in the form set forth in Appendix XI-B . . ."

Cook County (Illinois)¹³ leaves the construction of the summons to the discretion of the court clerk. Cook County's 2-page, bilingual summons clearly and effectively enumerates the rights of tenants in an eviction proceeding, describes the process and consequences for failing to respond, and lists numerous providers of pro bono legal advice and representation.

Washington DC leaves the construction of the summons to the chief judge's discretion, but additionally requires landlords to provide tenants an information form, also devised by the chief judge.¹⁴ The bilingual summons includes basic information regarding the court proceeding and process and refers the tenant to the information sheet. The information sheet contains a listing of multiple legal services organizations, including the court's own resource center, provides information on certain defenses, and general litigation advice, e.g. "Also, bring all papers that relate to your case , such as your lease, rent receipts, pictures or anything else that will explain your side of the case to the judge."

Cook County's summons is entirely a product of its clerk's discretion. There is no language in the rule delineating what type of information and resources be included. Thus, the usefulness of the information can change at the Court Clerk's discretion. Such broad discretion has the potential for the document losing its effectiveness because there will be a lack of uniformity when multiple jurisdictions are required to create such a form without statewide guidance.

Similarly, Washington DC's rule, although requiring "information for litigants" be provided, does not specify what type of information should be included. However, Washington DC is a jurisdictional anomaly in that there is only one jurisdiction. Thus the same entity creating the rule is the same entity creating the form and would not be effective in a multi-jurisdictional context.

The proposed court rule amendment overcomes Michigan's and the other states' shortcomings in providing tenants with timely and pertinent information. Tenant resources for free legal help, financial assistance, and emergency housing shelters are specific to certain regions, counties, and municipalities. Even state-sponsored housing assistance programs are administered at the county level. In order to accomplish the goal of providing quality information to the most people, a standardized notice template developed by the State Court Administrators Office and district courts populating the form with local legal, financial, and emergency housing resources. That would create a uniform system that is simultaneously responsive to changes in individual jurisdictions.

COSTS OF IMPLEMENTATION

The predicted costs of implementation are the time to identify and compile resources, and the cost to have the form available at the courthouse.

¹³ Illinois Compiled Statutes Annotated, 735 Ill. Comp. Stat. Ann. 5/9-106. "§ 9-106. Pleadings and evidence. On complaint by the party or parties entitled to the possession of such premises being filed in the circuit court for the county where such premises are situated, stating that such party is entitled to the possession of such premises (describing the same with reasonable certainty), and that the defendant (naming the defendant) unlawfully withholds the possession thereof from him, her or them, the clerk of the court shall issue a summons."

¹⁴ SCR-LT Rule 3. "Along with the complaint, the plaintiff shall also deliver to the Clerk a prepared Form 1S (Summons to Appear in Court and Notice of Hearing), which shall be accompanied by information for litigants, as determined by administrative orders issued by the Chief Judge."

The time to create the form should be minimal with the use of existing court resource officers. Most resources are already known or could be identified with minimal effort. The cost to have the form available at the courthouse may cost as much as 10 cents to print. However, the cost is minimal because most landlords purchase forms in bulk and can be further reduced by making the form available on its website.

BENEFITS TO LITIGANTS, THE JUDICIARY, AND OUR COMMUNITIES

All parties, including the judiciary and society as a whole, stand to benefit from the availability of reliable information regarding housing law and local sources of legal, financial, and housing services at the beginning of an action for possession.

Tenants

Pre-hearing access to information regarding housing law and local legal services provide tenants with a multitude of benefits. First, it will alleviate the stress of having to navigate an opaque eviction process without knowledge of their rights. Second, tenants will have the opportunity to better prepare for their first hearing by obtaining legal counsel and understanding what constitutes meritorious defenses and claims and what evidence to gather and present to the court. Third, reliable information facilitates equitable settlements. Often tenants are anchored in a position based on incorrect information “they heard”. Access to reliable information at the precise moment it is useful allows a tenant to understand their rights and responsibilities and come to court prepared to make an equitable settlement given the parameters of the law or transition to their next housing arrangement. Lastly, settlements, if equitable and properly structured can help tenants avoid damage to their credit and plan for storage of household furnishings, enhancing their ability to transition to and maintain new housing.

Access to potential sources of housing-related financial assistance and other housing resources may allow tenants to remain in the tenancy and thereby avoid the costs of eviction or obtain access to subsidized housing opportunities. Some programs and charities have complex rules and procedures before issuing relief funds, including sometimes onerous documentation requirements. For example, Michigan’s Department of Health and Human Services may take up 10 days to review an application for State Emergency Relief (“SER”) and approve or deny payment. Moreover, most charities require a denial of SER before a tenant is eligible for their programs. It is imperative that the application process be initiated as soon as possible so a tenant can meet the truncated timelines in an eviction proceeding and avoid an otherwise avoidable eviction.

Lastly, the sooner an appropriate shelter is identified the less likely a family or individual will have to resort to sleeping in the streets. Knowledge of emergency housing protects to-be evicted tenants from the devastating effects of transitional or long-term homelessness by providing the appropriate resources to lessen the blow of an eviction. Shelters are often restricted to serving specific groups of people based on gender, familial status, and other factors. To-be evicted tenants can contact shelters in advance to secure a scarce bed for when the writ is executed. This is particularly necessary for families, whose options for combined housing is exponentially more limited.

Landlords

Providing tenants with information regarding housing-related financial assistance as soon as possible is also in the landlords’ best interest. It assists landlords in receiving what they are most often seeking in

eviction proceedings, the rent. Unpaid rent is a sunk cost. Giving tenants this information is often the best and only option for any landlords' to obtain or financial recovery.

As stated above, a properly counseled tenant at initial appearance is more likely to negotiate an equitable settlement, to not request a continuance, and not challenge a writ of eviction issued before the tenant learned of their meritorious defenses and counterclaims. This will save landlords significant attorney's fees, often the largest cost to landlords in an eviction proceeding, from the avoidance of unnecessary delays and multiple appearances. More important, every delay increases the landlord's losses from uncompensated possession.

Finally, the same materials that aid tenants also function to inform *pro se* landlords. Often *pro se* landlords are just as misinformed and uninformed as tenants. *Pro se* landlords are often former homeowners or heirs to property and not sophisticated rental operations, lacking sufficient skill or knowledge to navigate the eviction process and understand all the tenant protections built into the law. Improper pleadings or incorrectly applied law or procedure costs the landlord time and money.

Courts

As discussed above, uninformed parties require more of the court's time and resources with unnecessary delays, asking questions court staff cannot ethically answer, and seeking inequitable or unrealistic relief. Informed parties, on the other hand, are more likely to appear and to seek equitable settlements, reducing the number of writs issued or challenged at the eleventh hour. Each hearing avoided as a result of having informed litigants saves the court \$33.95.¹⁵ Given the volume of landlord-tenant cases, even if only 25% of cases experienced one less hearing as a result of the proposed amendment, district courts could potentially save over \$1.8 million in administrative costs. Those time and financial savings could then be redirected to other worthy endeavors, such as improving court services or diversionary programs.

As a result of having informed litigants, courts will be better able to exercise the judicial principles of equity and justice. Meritorious defenses, such as accounting errors, unlawfully excessive late fees, improper charges for repairs, utilities lock-outs, failed safety inspections, habitability issues, and civil rights violations are more likely to be raised if tenants are able to obtain legal advice at the appropriate time.

Our Communities

Informing tenants of their rights and the availability of resources improves the quality of rental housing available to the public. Courts, once aware of violations, will be able to enforce compliance with safety and habitability laws. Over time this will result in the overall improvement of housing stock and resultantly reduce the effects of substandard housing on tenants, particularly those with lower incomes.

Connecting tenants with advice and representation enhances the community's quality of life. When harassment, racial discrimination, and other civil rights violations occur, it detracts from every

¹⁵ See "A Guide to Calculating Justice-System Marginal Costs", Christian Henrichson and Sarah Galeano, VERA Institute of Justice (May 2013), available at: https://storage.googleapis.com/vera-web-assets/downloads/Publications/a-guide-to-calculating-justice-system-marginal-costs-1/legacy_downloads/marginal-costs-guide.pdf

communities' ideals. Identifying sources of information, advice, and representation creates a path for those violations to be remedied and deters future violations.

Greater awareness of social service programs and resources prevents homelessness, improving the lives of both the homeless and the housed.

CONCLUSION

The need for educating tenants and greater awareness of resources continues to increase. The number of landlord-tenant cases and homeless is projected to increase, with 9,539¹⁶ more cases filed and 2,333¹⁷ more homeless in 2015 than 2014.

The proposed amendment allows the judiciary to intervene in a meaningful way to curb homelessness and improve the administration of justice by educating litigants of their rights and connecting them with local resources before the hearing. A court rule amendment is necessary to ensure that every tenant receives quality information at the critical moment of need. Further, the contemplated amendment confers many benefits to litigants, the courts, and our communities, without infringing upon the rights of the litigants nor requiring courts to expend significant time and resources.

For those reasons, we request its adoption.

¹⁶ 207,024 landlord tenant cases filed in 2014. See Michigan State Court Administrator's Office, 2014 Court Caseload Report: Statewide Circuit Court Summary, available at: <http://courts.mi.gov/education/stats/Caseload/Documents/Caseload/2014/Statewide.pdf>

¹⁷ 97,642 individuals counted as homeless in 2014. See Michigan's Campaign to End Homelessness, Mich. State Housing Dev. Authority, State of Homelessness in Michigan 2014, available at: <http://thecampaigntoendhomelessness.org/LinkClick.aspx?fileticket=C3RIU3wuQUo%3D&tabid=40>

APPENDIX
STATE-APPROVED FORMS

Approved, SCAO

**STATE OF MICHIGAN
JUDICIAL DISTRICT**

**SUMMONS
Landlord-Tenant / Land Contract**

CASE NO.

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

☐ Rental unit eviction

☐ Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants
- ☐ to recover possession, after land contract forfeiture, of
 - ☐ a money judgment for
 - ☐ to evict you from

Address or description of premises

2. You are summoned to be in the district court on _____ at _____
Day and date Time

☐ at the address above, ☐ _____, courtroom _____.
Location

3. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
4. If you are in district court on time, you will have an opportunity to give the reasons why you feel you should not be evicted. Bring witnesses, receipts, and other necessary papers with you.
5. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

Date issued

Court clerk

This document must be sealed by the seal of the court.

HOW TO GET LEGAL HELP

1. You have the right to an attorney to assist you in answering the complaint filed in this case and in preparing defenses.
2. If you do not have an attorney but have money to retain one, you may locate an attorney through the State Bar of Michigan Lawyer Referral Service at 1-800-968-0738 or through a local lawyer referral service. Lawyer referral services should be listed in the yellow pages of your telephone directory or you can find a local lawyer referral service at www.michbar.org.
3. If you do not have an attorney and cannot pay for legal help, you may qualify for assistance through a local legal aid office. Legal aid offices should be listed in the yellow pages of your telephone directory or you can find a local legal aid office at www.michiganlegalaid.org. If you do not have Internet access at home, you can access the Internet at your local library.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Tenant's copy

PROOF OF SERVICE**SUMMONS**
Landlord-Tenant / Land Contract
Case No. _____

TO PROCESS SERVER: You are to serve the summons and complaint and attachments as instructed. You must make and file your proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE☐ **OFFICER CERTIFICATE****OR**☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ **PERSONAL SERVICE** I have personally served a copy of the summons, complaint, and attachments on the defendant(s):

Defendant's name	Complete address of service	Day, date, time
Defendant's name	Complete address of service	Day, date, time

☐ **SUBSTITUTED SERVICE** (As to residential premises only.) Not being able to find the following named defendant(s),

Name(s) _____

on _____ at _____ at _____
Date Time Place of service

_____, I left the summons, complaint, and attachments at the current residence of defendant(s) with

_____, the _____ of defendant(s), who is of
Name State relationship

suitable age. I explained the contents and requested delivery of the pleadings to the defendant(s).

☐ **NONSERVICE RETURN** After diligent search and inquiry, I have been unable to find and serve the defendant(s). I have made the following efforts at personal /substituted service: _____☐ **SERVICE BY ATTACHMENT** (Landlord-Tenant cases only.) I attached the pleadings on _____
Date
to the main entrance of the tenant's dwelling unit in a secure manner.

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____
Date Deputy clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons, complaint, and attachment on _____
Date

Signature: _____ On behalf of: _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

Case No: _____

Plaintiff (Landlord or Agent)

v.

**RESIDENTIAL EVICTION
SUMMONS**

Defendant (Tenant or Occupant)

TO: _____
Street Address of Property Occupied by Defendant City State ZIP

Mailing Address (if different)

**NOTICE TO TENANTS:
READ THESE PAPERS CAREFULLY!
YOUR LANDLORD WANTS TO EVICT YOU**

ON _____ AT _____ A.M./P.M., you must come to court at the location below. You do not have to pay any fees to the court for this first hearing.

- If you *do not* appear in court and your landlord does, your landlord will win automatically and can have the sheriff physically remove you from the property.
- If you *do* appear in court and your landlord does not, the court will dismiss this case.
- If both of you appear in court:
 - The judge may ask you to try to reach an agreement with your landlord, but this is voluntary. Trained mediators may be available for free to help you resolve disputes.
 - If you and your landlord do not reach an agreement, the court will schedule a trial.

IF YOU WANT A TRIAL, YOU MUST:

- Be in court at the time scheduled above. Allow time to get through security;
- On the same day, file an *Answer* with the court giving a *legal* reason why you should not be evicted. The court can give you a form;
- Give a copy of the *Answer* to your landlord (or your landlord's agent or lawyer); **and**
- Pay a filing fee. The judge may defer payment if you are low-income. Go to www.courts.oregon.gov to see what the filing fee will be.

GO TO THIS LOCATION:

IF YOU HAVE QUESTIONS, YOU SHOULD SEE A LAWYER IMMEDIATELY. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service at 503.684.3763 or toll-free in Oregon at 800.452.7636 or go to www.oregonstatebar.org.

Signature of Plaintiff (landlord or agent)

Dated

Name of Plaintiff (printed)

Address of Plaintiff

Phone Number

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON IN AND FOR COUNTY

Plaintiff,	}	NO.
vs.		EVICTON SUMMONS
Defendant.		(Residential)

THIS IS NOTICE OF A LAWSUIT TO EVICT YOU.
PLEASE READ IT CAREFULLY. THE DEADLINE FOR YOUR WRITTEN
RESPONSE IS: 5:00 p.m., on

TO: (Name)
. (Address)

This is notice of a lawsuit to evict you from the property which you are renting. Your landlord is asking the court to terminate your tenancy, direct the sheriff to remove you and your belongings from the property, enter a money judgment against you for unpaid rent and/or damages for your use of the property, and for court costs and attorneys' fees.

If you want to defend yourself in this lawsuit, you must respond to the eviction complaint in writing on or before the deadline stated above. You must respond in writing even if no case number has been assigned by the court yet.

You can respond to the complaint in writing by delivering a copy of a notice of appearance or answer to your landlord's attorney (or your landlord if there is no attorney) by personal delivery, mailing, or facsimile to the address or facsimile number stated below **TO BE RECEIVED NO LATER THAN THE DEADLINE STATED ABOVE.** Service by facsimile is complete upon successful transmission to the facsimile number, if any, listed in the summons.

The notice of appearance or answer must include the name of this case (plaintiff(s) and defendant(s)), your name, the street address where further legal papers may be sent, your telephone number (if any), and your signature.

If there is a number on the upper right side of the eviction summons and complaint, you must also file your original notice of appearance or answer with the court clerk by the deadline for your written response.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the person signing the summons. Within fourteen days after you serve the demand, the plaintiff must file this lawsuit with the court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

You may also be instructed in a separate order to appear for a court hearing on your eviction. If you receive an order to show cause you must personally appear at the

hearing on the date indicated in the order to show cause **IN ADDITION** to delivering and filing your notice of appearance or answer by the deadline stated above.

IF YOU DO NOT RESPOND TO THE COMPLAINT IN WRITING BY THE DEADLINE STATED ABOVE YOU WILL LOSE BY DEFAULT. YOUR LANDLORD MAY PROCEED WITH THE LAWSUIT, EVEN IF YOU HAVE MOVED OUT OF THE PROPERTY.

The notice of appearance or answer must be delivered to:

....

Name

....

Street Address

....

Telephone Number

....

Facsimile Number (Required if Available)

SUMMONS (CITACION JUDICIAL)

UNLAWFUL DETAINER—EVICTION

(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER:
(Número del caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415) ☐ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Date:
(Fecha)

Clerk, by
(Secretario)

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

4. **NOTICE TO THE PERSON SERVED:** You are served

- a. ☐ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☐ on behalf of (specify):

under:

- | | |
|--|---|
| <input type="checkbox"/> CCP 416.10 (corporation) | <input type="checkbox"/> CCP 416.60 (minor) |
| <input type="checkbox"/> CCP 416.20 (defunct corporation) | <input type="checkbox"/> CCP 416.70 (conservatee) |
| <input type="checkbox"/> CCP 416.40 (association or partnership) | <input type="checkbox"/> CCP 416.90 (authorized person) |
| <input type="checkbox"/> CCP 415.46 (occupant) | <input type="checkbox"/> other (specify): |

5. ☐ by personal delivery on (date):

Page 1 of 2

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

6. **Unlawful detainer assistant** (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:

- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

STATE OF NEW YORK
CITY/DISTRICT/TOWN/VILLAGE COURT (1) _____
COUNTY OF (2) _____

(4) _____

Petitioner(s)/Landlord(s)

-against-

(3) Index/Docket No. _____

**NOTICE OF PETITION
NON PAYMENT PROCEEDING**

(5) _____

Respondent(s)/Tenant(s)

To the Respondents:

PLEASE TAKE NOTICE that a hearing at which you must appear will be held at the
(6) _____

City/District/Town/Village Court

County of (7) _____ on the (8) _____ day of _____, 20 __, at _____ am/pm,
upon the annexed petition, which you must answer, which requests a final judgment evicting
you from, and awarding to the petitioner the possession of, the premises designated and
described as follows:

(9) _____

Street Address Including Zip Code

the _____ rooms on the _____ floor, Apartment No. _____, in the County of (10) _____
and such other and further relief as is demanded in the petition.

TAKE NOTICE that demand also is made in the petition for judgment against you for the
sum of (11) \$ _____, with interest thereon from (12) _____, 20 ____.

TAKE NOTICE that your answer may set forth any defense or counterclaim you may
have against the petitioner.

TAKE NOTICE also that if you shall fail at such time to interpose and establish any
defense that you may have to the allegations of the petition, you may be precluded from
asserting such defense or the claim on which it is based in any other proceeding or action.

TAKE NOTICE that your failure to appear and answer may result in final judgment by
default for the petitioner evicting you from the premise and ordering you to pay the amount
demanded in the petition.

DATED: the _____ day of _____, 20 ____.

Judge/Clerk/Attorney

TENANCY SUMMONS AND RETURN OF SERVICE (R. 6:2-1)

Plaintiff or Plaintiff's Attorney Information:

Name: _____

Address: _____

Phone: _____

Plaintiff(s)

versus

Defendant (s)

Defendant Information:

Name: _____

Address: _____

Phone: _____

Superior Court of New Jersey

Law Division, Special Civil Part

_____ County

Docket Number: LT - _____

(to be provided by the court)

Civil Action SUMMONS LANDLORD/TENANT

_____ Nonpayment

_____ Other

NOTICE TO TENANT: The purpose of the attached complaint is to permanently remove you and your belongings from the premises. If you want the court to hear your side of the case you must appear in court on this date and time: _____ at _____ ☐ a.m. ☐ p.m., or the court may rule against you. **REPORT TO:** _____.

If you cannot afford to pay for a lawyer, free legal advice may be available by contacting Legal Services at _____. If you can afford to pay a lawyer but do not know one, you may call the Lawyer Referral Services of your local county Bar Association at _____.

You may be eligible for housing assistance. To determine your eligibility, you must immediately contact the welfare agency in your county at _____, telephone number _____.

If you need an interpreter or an accommodation for a disability, you must notify the court immediately.

Si ud. no tiene dinero para pagar a un abogado, es posible que pueda recibir consejos legales gratuitos si se comunica con Servicios Legales (Legal Services) al _____. Si tiene dinero para pagar a un abogado pero no conoce ninguno puede llamar a Servicios de Recomendación de Abogados (Lawyer Referral Services) del Colegio de Abogados (Bar Association) de su condado local al _____.

Es posible que pueda recibir asistencia con la vivienda si se comunica con la agencia de asistencia publica (welfare agency) de su condado al _____, telefono _____.

Si necesita un interprete o alguna acomodación para un impedimento fisico, tiene que notificárselo inmediatamente al tribunal.

Date: _____

Clerk of the Special Civil Part

COURT OFFICER'S RETURN OF SERVICE (FOR COURT USE ONLY)

Docket Number: _____ Date: _____ Time: _____
WM ___ WF ___ BM ___ BF ___ OTHER _____ HT ___ WT ___ AGE ___ MUSTACHE ___ BEARD ___ GLASSES ___ NAME: _____
RELATIONSHIP: _____

Efforts Made to Personally Serve _____

Description of Premises if Posted _____

I hereby certify the above to be true and accurate: _____
Special Civil Part Officer

Commonwealth of Massachusetts
SUMMARY PROCESS (EVICTION) SUMMONS AND COMPLAINT

____ Department ☐ Residential Docket No. _____
____ Division ☐ Commercial (To be added by clerk's office)
____ ss Entry Date: _____

NOTICE OF A COURT CASE TO EVICT YOU - PLEASE READ IT CAREFULLY
ESTA ES UNA NOTIFICACION DE UN CASO EN CORTE PARA DESALOJARLE -
FAVOR DE LEER EL MISMO CON CUIDADO

TO DEFENDANT(S)/TENANT(S)/OCCUPANT(S): _____

ADDRESS: _____ CITY/TOWN: _____ ZIP: _____

You are hereby summonsed to appear at a hearing before a Judge of the Court at the time and place listed below:

DAY: _____ DATE: _____ TIME: _____ COURT NAME: _____

COURT ADDRESS: _____ ROOM: _____

to defend against the complaint of PLAINTIFF/LANDLORD/OWNER: _____

_____ of

STREET _____ CITY/TOWN: _____ ZIP: _____

that you occupy the premises at _____

being within the judicial district of this court, unlawfully and against the right of said Plaintiff/Landlord/Owner

because: _____

and further, that \$ _____ rent is owed according to the following account:

WITNESS:

ACCOUNT ANNEXED (itemize)

First or Chief Justice

Printed Name of Plaintiff or Attorney

Signature of Plaintiff or Attorney

Date of Signature of Plaintiff or Attorney

Address of Plaintiff or Attorney

Telephone Number of Plaintiff or Attorney

NOTICE TO EACH DEFENDANT/TENANT/OCCUPANT: At the hearing on _____ you (or your attorney) must appear in person to present your defense. You (or your attorney) must also file a written answer to this complaint. An answer is your response stating the reason(s) why you should not be evicted and may, in residential cases, include any claims you have against the Landlord. (An Answer Form is available in the clerk's office whose telephone number is _____.) You must file (deliver or mail) the answer with the court clerk and serve (deliver or mail) a copy on the landlord (or landlord's attorney) at the address shown above. **The Answer must be received by the court clerk and received by the landlord (or the landlord's attorney) no later than Monday, _____, which is the first Monday after the "entry date" listed above. The entry date is the day by which your landlord must file this complaint with the court clerk.**

NOTICE TO EACH DEFENDANT/TENANT/OCCUPANT: IF YOU DO NOT FILE AND SERVE AN ANSWER, OR IF YOU DO NOT DEFEND AT THE TIME OF THE HEARING, JUDGMENT MAY BE ENTERED AGAINST YOU FOR POSSESSION AND THE RENT AS REQUESTED IN THE COMPLAINT.

SI USTED NO REGISTRA O NOTIFICA UNA CONTESTA, O SI USTED NO PRESENTA UNA DEFENSA A LA HORA DE LA AUDIENCIA, UNA SENTENCIA PUEDE SER REGISTRADA EN SU CONTRA PARA POSECCION Y POR LA RENTA REQUERIDA EN EL RECLAMO.

To the Sheriffs of our several counties, or their Deputies, or any Constable of any City or Town within said Commonwealth, GREETINGS: We command you to summon the within named defendant(s)/tenant(s)/occupant(s) to appear as herein ordered.

Clerk-Magistrate

Officer's Return

_____, ss City/Town: _____

By virtue of this Writ, I this day served the within-named tenant or occupant, and summonsed him/her as herein directed, by giving in hand to _____

or leaving it at _____ the last and usual place of abode.

A copy of this summons was mailed first class to _____ tenant/occupant at the address on: _____.

Fees for Service:

Service \$ _____
Copy/Attest _____
Travel _____
Use of Car _____
Mailing _____

TOTAL \$ _____

Signature of Officer

Printed Name of Officer

Address of Officer

Telephone Number of Officer

NOTICE TO PLAINTIFF/LANDLORD/OWNER: Have the Officer complete and return above. Service must be made on the defendant(s) no later than the seventh day and not earlier than the thirtieth day before the Monday entry date. This form must be filed in court no later than the close of business on the scheduled Monday entry date. In appropriate cases, proper evidence of notice to quit must be provided to this court upon the filing of this complaint. See Uniform Summary Process Rule 2(d). According to Uniform Summary Process Rule 2(c), the hearing date is the second Thursday after the entry date. In some courts, the hearing date is the second Monday, third Tuesday, third Wednesday, or second Friday.

Amended effective: 09/01/05

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: _____

LANDLORD AND
TENANT COMPLAINT

Magisterial District Number: _____

MDJ Name: Hon. _____

Address: _____

Telephone: () _____

PLAINTIFF: _____

NAME and ADDRESS

VS.

DEFENDANT: _____

NAME and ADDRESS

	Amount	Date Paid
Filing Costs	\$ _____	/ /
Postage	\$ _____	/ /
Service Costs	\$ _____	/ /
Constable Ed.	\$ _____	/ /
Total	\$ _____	/ /

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

Docket No.: _____

Date Filed: _____



TO THE DEFENDANT: The above named plaintiff(s) asks judgment together with costs against you for the possession of real property and for:

Lease is ☐ Residential ☐ Nonresidential.

- ☐ Damages for injury to the real property, to wit: _____ in the amount of: \$ _____
- ☐ Damages for the unjust detention of the real property in the amount of \$ _____
- ☐ Rent remaining due and unpaid on filing date in the amount of \$ _____
- ☐ And additional rent remaining due and unpaid on hearing date \$ _____
- ☐ Attorney fees in the amount of \$ _____
- Total: \$ _____

THE PLAINTIFF FURTHER ALLEGES THAT:

- The location and address, if any, of the real property is _____
- The plaintiff is the landlord of that property.
- He leased or rented the property to you or to _____ under whom you claim.
- ☐ Notice to quit was given in accordance with law, or
☐ No notice is required under the terms of the lease.
- ☐ The term for which the property was leased or rented is fully ended, or
☐ A forfeiture has resulted by reason of a breach of the conditions of the lease, to wit: _____
☐ Rent reserved and due has, upon demand, remained unsatisfied.
- You retain the real property and refuse to give up its possession.

I, _____ verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

(Signature of Plaintiff)

The plaintiff's attorney shall file an entry of appearance with the magisterial district court pursuant to Pa.R.C.P.M.D.J. 207.1.

IF YOU HAVE A DEFENSE to this complaint you may present it at the hearing. IF YOU HAVE A CLAIM against the plaintiff arising out of the occupancy of the premises, which is in the magisterial district judge jurisdiction and which you intend to assert at the hearing, YOU MUST FILE it on a complaint form at this office BEFORE THE TIME set for the hearing. IF YOU DO NOT APPEAR AT THE HEARING, a judgment for possession and costs, and for damages and rent if claimed, may nevertheless be entered against you. A judgment against you for possession may result in your EVICTION from the premises.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

Remarks and Summary of Testimony May be Recorded on Reverse Side.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT, _____ DISTRICT

_____	Plaintiff(s)	Case No. _____
v.		Rent Amount Claimed: \$ _____
_____	Defendant(s)	*Trial Date: _____ Time: _____
_____	Address of Defendant(s)	Court Location: _____

Please serve as follows: ☐ Sheriff Service ☐ Alias (Plaintiff check one)

EVICTIION SUMMONS FOR TRIAL
BEFORE YOU GO TO COURT, YOU MUST PAY YOUR APPEARANCE FEE.

You are hereby **SUMMONED** to Court, however, you must file your appearance and pay the required fee with the Clerk of the Circuit Court's Office at the court location on this form, on or before the date and before the time of the trial. **IF YOU DO NOT FILE AN APPEARANCE** and contest the claim, a **JUDGMENT BY DEFAULT** may be entered for the relief requested in the complaint, ordering that you be evicted. If judgment is entered against you, the SHERIFF may evict you. A money judgment may also be entered against you if requested in the complaint.

The Plaintiff(s), named above, has/have filed a complaint in this Court to have you evicted. A true and correct copy of the complaint is attached.

THEREFORE, you, the Defendant(s), after you have filed an appearance, are hereby summoned to appear in person before this Court on* _____ at _____ a.m./p.m. in Courtroom _____ at _____
(Court Location)

at which time and place a **TRIAL** will be held on the complaint. *(See top of this form if blanks not filled in.)*

*Not less then 7 days nor more than 40 days after issuance of summons.

INSTRUCTIONS TO SHERIFF

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than seven (7) days before the day for appearance. If service cannot be made, this summons shall be returned so endorsed.

Atty. No.: _____

Name: _____

Atty. for: _____

Address: _____

City/State/Zip Code: _____

Telephone: _____

Primary Email: _____

Secondary Email: _____

Tertiary Email: _____

WITNESS _____ , _____

DOROTHY BROWN, Clerk of Court

DATE OF SERVICE _____

(To be inserted by officer on copy left with Defendant or other person)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IMPORTANT INFORMATION FOR DEFENDANTS

THIS IS AN EVICTION SUMMONS

On the date and at the time shown on the other side, the court will decide whether you will have to move or whether you can continue to stay. **YOU MUST BE ON TIME FOR COURT. HAVING TO GO TO WORK, BEING ILL, OR DOING SOMETHING ELSE DOES NOT MEAN YOU CAN MISS COURT.**

Any person wishing to sue or defend a case as an indigent must petition the court to have the fees, costs, and charges associated with the proceedings waived

Customers may visit www.cookcountyclerkofcourt.org to access the Clerk's filing fees or telephone the Civil Division at (312) 603-5116 with additional questions.

IF YOU DO NOT COME TO COURT

The court may order you to move within a short period of time. **IF YOU DO NOT MOVE**, your landlord can have the SHERIFF move you and all of your belongings out. The sheriff will put your property outside and you will have to make arrangements to move it.

YOU HAVE RIGHTS

1. You have the right to come to court and tell your side of the case.
2. You have a right to a trial by jury. A request for a jury trial must be in writing and filed with the Clerk of the Circuit Court prior to your hearing. You must request the jury trial immediately when your case is called, before your trial actually starts.
3. You may come to court and speak for yourself, or you may have a lawyer represent you. If you want a lawyer, you must get one right away. If you are unable to come to court for any reason, you should talk to a lawyer.
4. If you do not have a lawyer, and are not able to afford one, you may call one of the following Lawyer Referral Services and ask them to recommend a lawyer for you:
 - **CARPLS (Cook County's Legal Aid Hotline):** Telephone (312) 738-9200
 - **Chicago Bar Association Lawyer Referral Service:** 321 S. Plymouth Ct., Chicago, IL 60604, Telephone (312) 554-2001
 - **Illinois Tenants Union Eviction Hotline:** Telephone (773) 478-1133
 - **Cook County Bar Association Lawyer Referral Service:** 39 S. LaSalle, Suite 1117, Chicago, IL 60603, Telephone (312) 630-1157
 - Other Lawyer Referral Services are listed in your telephone directory.
5. If you cannot afford a lawyer, you may call one of the following agencies that may be able to provide you with free legal help:
 - **Cabrini-Green Legal Aid:** 740 N. Milwaukee Ave., Chicago, IL 60642, Telephone (312) 738-2452 (CGLA) (Initial \$20 Fee)
 - **Chicago Volunteer Legal Services:** Telephone (312) 332-1624
 - **Legal Assistance Foundation of Metropolitan Chicago:** 120 S. LaSalle Street, Suite 900, Chicago IL 60603, Telephone (312) 341-1070, Fax (312) 341-1041
 - **Law Offices of Kent College of Law Advice Desk:** Room 602 Daley Center, Telephone (312) 603-3579
 - **Lawyer's Committee for Better Housing, Inc.:** 33 N. LaSalle, Suite 900, Chicago, IL 60602, Telephone (312) 347-7600, Fax (312) 347-7604

Participating agencies of the Housing Advocacy Consortium: Cabrini-Green Legal Aid; CARPLS; Chicago Lawyer's Committee for Civil Rights; Lawyers' Committee for Better Housing, INC.; Legal Assistance Foundation of Metropolitan Chicago; Metropolitan Tenants Organization and National Center on Poverty Law.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION
LANDLORD AND TENANT BRANCH**

510 4th STREET, N.W., Building B, Room #110, Washington, D.C. 20001 Telephone (202) 879-4879 www.dccourts.gov

Case No. LTB _____

Plaintiff(s)

vs.

Defendant(s)

Address (No post office boxes)

Address

Washington, D.C.

City

State

Zip Code

Zip Code

Phone Number

Phone Number (if known)

SUMMONS TO APPEAR IN COURT AND NOTICE OF HEARING -- FORM 1S

YOU ARE HEREBY SUMMONED AND REQUIRED TO APPEAR ON _____ AT 9:00 A.M.

PROMPTLY, in the Landlord and Tenant Courtroom, Room 109, Bldg. B, 510 4th Street, NW.

Between E and F Streets, N.W., Judiciary Square Red Line Metro stop ♦ Wheelchair accessible entrance located on F Street side of building

1. You are being sued for possession of the premises you occupy.
2. This paper is a Summons in a lawsuit seeking your eviction.
3. The Complaint attached to this Summons states the grounds for possession claimed by the Plaintiff. If the Complaint is not attached, a copy is available in the Landlord and Tenant Clerk's Office at 510 4th Street, Building B, Room #110.
4. If you, or your attorney, do not appear on the date and time listed above, a default judgment may be entered against you giving Plaintiff the right to evict you from the premises without any further court hearings.
5. **Court employees are not permitted to give advice on legal questions.**

Notice to Occupant(s) Not Named on the Summons: If you live on the premises and wish to remain, you must come to Court even if you are not named as a Defendant on the Summons or Complaint.

PLEASE SEE THE BACK OF THIS FORM FOR IMPORTANT INFORMATION ABOUT THE COURT PROCESS. IF YOU HAVE ANY
ADDITIONAL QUESTIONS ABOUT THE SUMMONS AND COMPLAINT, OR YOUR RIGHTS AND RESPONSIBILITIES, PLEASE
CONSULT AN ATTORNEY PROMPTLY.

CITATORIO DE COMPARENCIA AL TRIBUNAL Y AVISO DE AUDIENCIA

POR MEDIO DE LA PRESENTE SE LE EXIGE Y ORDENA QUE COMPAREZCA EL _____ A

LAS 9:00 A.M. PUNTUALMENTE a la Sala de Arrendadores e Inquilinos, 510 4th Street, NW. Edificio B.

Entre las Calles E y F, N.W., paradero de Metro, Judiciary Square, línea roja ♦ Entrada accesible para silla de ruedas por la Calle F.

1. Se le demanda por transferencia de la tenencia de la propiedad en que habita.
2. Este escrito es un citatorio de una demanda para su desalojamiento.
3. La demanda adjunta a este citatorio declara la base del demandante para la tenencia que pide. Si la demanda no está adjunta, hay una copia disponible en la oficina de la Secretaría de Arrendador e Inquilino en la 510 4th Street, NW, Edificio B #110.
4. Si usted o su abogado no comparecen a la hora y en la fecha indicadas, se podría emitir un fallo en su contra por incomparecencia, permitiendo así que el demandante lo desaloje del lugar sin necesitarse audiencias posteriores.
5. **Al personal del tribunal no se les permite asesorar en cuestiones jurídicas.**

Advertencia a los inquilinos no nombrados en la demanda: Si usted vive en la propiedad y desea permanecer ahí pero no ha sido mencionado como inquilino, debe presentarse al Tribunal aun si no es nombrado como demandado en la convocatoria o demanda.

**VEA AL DORSO DE ESTE FORMULARIO: INFORMACIÓN IMPORTANTE SOBRE EL PROCESO JUDICIAL. SI TIENE MÁS
PREGUNTAS SOBRE EL CITATORIO Y LA DEMANDA O SOBRE SUS DERECHOS Y DEBERES, CONSÚLTELE A UN ABOGADO
PRONTO.**

Plaintiff/Plaintiff's Attorney

Unified Bar No.

CLERK OF THE COURT

Address

Zip Code

Costs of this suit to date are \$ _____

Costas a la fecha

Phone No.

Email Address (required only for attorneys)



如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

번역을 원하시면, (202) 879-4828 로 전화하십시오

Để có một bản dịch, hãy gọi (202) 879-4828

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IMPORTANT INFORMATION - PLEASE READ CAREFULLY

BEFORE YOU COME TO COURT: Contact one of these agencies for legal assistance or look on www.lawhelp.org/dc to learn about settlement options, legal defenses, presenting your case and more information about your rights as a tenant before your court date:

Neighborhood Legal Services	(202) 269-5100	Legal Counsel for the Elderly	(202) 434-2120
D.C. Law Students in Court	(202) 638-4798	Bread for the City	(202) 265-2400
The Legal Aid Society of D.C.	(202) 628-1161	D.C. Bar Legal Information Help Line	(202) 626-3499

Residential landlords and tenants may also visit the Landlord Tenant Resource Center located at 510 4th Street, NW, Bldg. B, Room #115 (202) 508-1710. The Resource Center provides legal information from attorneys at no charge and is open from 9:15 a.m. to Noon, Mon. – Fri.

YOUR LANDLORD HAS SUED TO EVICT YOU. COME TO COURT ON THE DATE YOUR SUMMONS REQUIRES YOU TO APPEAR:

Come to court even if you think you do not owe any rent or have not violated your lease. If you do not come to court, or if you are late, you may be evicted without any further court hearings. You also may have a judgment for money entered against you, and your landlord may be allowed to garnish your wages or bank account.

IF YOU HAVE ALREADY PAID THE RENT: Read the Complaint carefully. Even if your rent is paid in full, the Complaint may include reasons other than unpaid rent, which the Plaintiff may rely on to seek your eviction. Even if the only reason the Plaintiff is suing you is unpaid rent, the Plaintiff may be able to seek your eviction in this case based on rent and late fees that come due after this Complaint was filed. Those charges may not be listed on this Complaint. The Plaintiff is not required to dismiss the Complaint unless the case is based on unpaid rent only and you bring your rental account to a "zero" balance as of the day you pay.

YOU MUST BE IN THE COURTROOM PROMPTLY AT 9:00 AM AND YOU SHOULD EXPECT TO BE IN COURT FOR SEVERAL

HOURS: The Judge will read an opening statement informing you of the court process and your rights as a defendant. Answer *roll call* when the clerk calls your name. If you get to court late, tell the clerk immediately that you have arrived. If a default has been entered against you, try to speak to a tenant's lawyer or a lawyer in the Landlord Tenant Resource Center (Room 115) or, if you have a legal defense to this case, file a "Motion to Vacate Default" in the Clerk's Office. Otherwise, you probably will be evicted.

BRING ALL PAPERS RELATING TO YOUR CASE TO COURT: Bring this document and the Complaint attached to this document with you to court every time you appear. Also, bring all papers that relate to your case, such as your lease, rent receipts, pictures or anything else that will explain your side of the case to the judge. You do not need to bring witnesses to the first court hearing.

WHEN YOU GET TO COURT: Neither party is required to make any agreement in this case. If you do make an agreement with the Plaintiff, be sure that all promises you or the Plaintiff make are in writing before you sign the agreement. If you do not want to make an agreement or cannot reach an agreement, your case will be called before the judge where you may present any defenses or make any requests.

IF YOU HAVE AN EMERGENCY AND CANNOT COME TO COURT OR GET THERE ON TIME: Call the clerk immediately at (202) 879-4879. Come to court as soon as you can and ask for help.

PERSONS WITH DISABILITIES: If you have a disability that keeps you from coming to court or keeps you from coming to court on time, or if you need some other type of assistance, call (202) 879-1700 as soon as possible to request assistance.

INTERPRETATION SERVICES: If you need language interpretation services for any language other than Spanish, please call (202) 879-4828 as soon as you get these papers. If you need a Sign Language Interpreter, call (202) 879-1492 or (202) 879-1656 (TDD).

CHILD CARE: A Child Care Center is in the main courthouse (500 Indiana Ave., NW, Room C-185). Call (202) 879-1759 for information.

INFORMACIÓN IMPORTANTE - POR FAVOR LEA CON CUIDADO

ANTES DE PRESENTARSE AL TRIBUNAL: Antes de su audiencia, comuníquese con una de las agencias judiciales arriba enumeradas o al www.lawhelp.org/dc para enterarse de las opciones de común acuerdo, sus defensas, cómo presentar su caso e información adicional referente a sus derechos. Los arrendadores particulares y los inquilinos pueden acudir al Centro de Recursos de Arrendador e Inquilino, 510 Calle 4, NW, Edificio B, Sala 115, (202) 508-1710. El Centro de Recursos cuenta con abogados que le ofrecen información jurídica gratuita. Atención: 9:15 a.m. a 12:00 p.m. de lunes a viernes.

EL ARRENDADOR RADICÓ UNA DEMANDA PARA SU DESALOJO. COMPAREZCA AL TRIBUNAL EN LA FECHA QUE SE LE INDICA EN EL CITATORIO: Comparezca al tribunal incluso si cree que no debe alquilar o no ha violado el contrato. Si no comparece, o si llega tarde, podría ser desalojado sin audiencias posteriores. De igual manera es posible que se emita un fallo en su contra y que su arrendador pueda retenerle sus ingresos o embargarle la cuenta corriente.

SI YA PAGÓ EL ALQUILER: Lea la demanda con cuidado. Aun si su alquiler está al corriente, la demanda puede incluir razones diferentes al pago de alquiler para pedir su desalojo. Aun si el único motivo de la demanda es el alquiler en mora, el demandante podría pedir su desalojo basándose en multas y alquiler pagaderos **después** de la instauración de la demanda. Es posible que dichas acusaciones no se encuentren enumeradas en esta demanda. Al demandante no se le exige desestimar la causa a menos que ésta se base sólo en la falta de pago y usted pusiera su cuenta de alquiler en cero para la fecha en que pague el alquiler.

COMPAREZCA EN SALA PUNTUALMENTE A LAS 9:00 AM Y ANTICIPE QUE ESTARÁ EN EL JUZGADO VARIAS HORAS: El juez leerá las declaraciones de apertura informándole sobre el proceso jurídico y sus derechos como demandado. Conteste al escuchar su nombre cuando pasen lista. Si llega tarde, avísele al secretario de actas apenas llegue. Si se ha emitido un fallo en su contra por incomparecencia, intente hablar con el abogado del arrendador o con uno en el Centro de Recursos para Arrendadores e Inquilinos (Oficina 115) o, si tiene defensa legal contra esta causa, presente una petición para desestimar (*Motion to Vacate*) en la Secretaría. De no hacerlo, lo desalojarán.

TRAIGA CONSIGO TODOS LOS DOCUMENTOS PERTINENTES A SU CASO: Cada vez que comparezca, traiga este documento al igual que la demanda adjunta. También traiga todos los documentos pertinentes a su caso, como lo son el contrato, recibos del pago de alquiler, fotos o cualquier otra cosa que le explique al juez su parte de la causa. No tiene que traer testigos a la primera audiencia.

CUANDO LLEGUE AL TRIBUNAL: No se le exige a ninguna parte que llegue a un acuerdo en el caso. Si llega a un acuerdo con el demandante, asegúrese que todas sus promesas y las del demandante estén escritas antes de firmar el acuerdo. Si no desea o no pueden llegar a un acuerdo, su caso será ventilado ante el juez y ahí podrá presentar cualquier defensa o hacer cualquier petición.

SI TIENE UNA EMERGENCIA Y NO PUEDE LLEGAR AL TRIBUNAL O NO PUEDE LLEGAR A TIEMPO: Llame de inmediato a la secretaría al (202) 879-4879. Diríjase al tribunal lo más pronto posible y pida ayuda.

PERSONAS DISCAPACITADAS: Si tiene una discapacidad que le impide venir al tribunal o llegar a tiempo, o si necesita otro tipo de asistencia, llame al (202) 879-1700 tan pronto sea posible para pedir ayuda.

SERVICIOS DE INTERPRETACIÓN: Si necesita servicio de intérprete para un idioma que no sea el español, favor de llamar al (202) 879-4828 apenas reciba estos documentos. Si necesita intérprete de señas comuníquese al (202) 879-1492 o al (202) 879-1656 (TDD).

GUARDERÍA INFANTIL: Hay una Guardería Infantil en el tribunal principal (500 Av. Indiana, NW, Sala C-185). Informes al (202) 879-1759.