{{p include\_docx\_template(‘docassemble.UsTxFamilyLaw:000\_case\_style\_civil.docx’)}}

**ORIGINAL PETTION FOR EVICTION**

Plaintiff, {{plaintiff.name.full()}} sues Defendant{% if defendant.number\_gathered() > 1 %}s{% endif %} {{ defendant.comma\_and\_list()}} and all other occupants (“Defendant”) for eviction from Plaintiff’s premises, including storerooms and parking areas located in the above precinct and having an address of {{the\_property.on\_one\_line()}} (the “Subject Property”).

**Rent**

The total monthly rent due from and payable by Defendant is:

Rental Subsidy: {{rent\_subsidy | currency}}

Tenant’s Portion {{rent\_tenant | currency}}

TOTAL {{rent\_total | currency}}

**Grounds**

{%p if eviction\_basis == “Failure to pay rent as required under the lease agreement” %}

Plaintiff alleges the following grounds for eviction: Defendant failed to pay rent throughout the time period beginning {{rent\_unpaid\_first\_date}} through {{rent\_unpaid\_last\_date}}. The amount of rent now due and owing is {{rent\_unpaid\_amount | currency}}.

{%p elif eviction\_basis == “Termination of tenancy at will” %}

Plaintiff alleges the following grounds for eviction: Plaintiff has exercised Plaintiff's right to terminate a tenancy at will.

{%p elif eviction\_basis == “Expiration of lease” %}

Plaintiff alleges the following grounds for eviction: The lease expired on {{lease\_expiration\_date}}.

{%p elif eviction\_basis == “Sale of residence” %}

Plaintiff alleges the following grounds for eviction: Plaintiff has sold the residence and has given notice that Plaintiff is exercising Plaintiff’s right to terminate the lease under the lease agreement.

{%p elif eviction\_basis == “Damage to property” %}

Plaintiff alleges the following grounds for eviction: Defendant or Defendant’s invited guests have damaged the above referenced property beyond normal wear and tear and Plaintiff has given notice that Plaintiff is exercising Plaintiff’s right to terminate the lease.

{%p elif eviction\_basis == “Condemnation of property” %}

Plaintiff alleges that the property has been condemned and is no longer habitable.

{%p elif eviction\_basis == “Non-compliance with lease agreement” %}

Plaintiff alleges that Defendant has failed to comply with the lease agreement as follows: {{other\_violation\_description}}.

{%p endif %}

**Notice to Vacate**

Plaintiff served Defendant a written notice to vacate and demand for possession in compliance with Section 24.005 of the Texas Property Code on {{demand\_service\_date}} by {{demand\_service\_method}}.

{%p if claiming\_unpaid\_rent %}

**Claim for Unpaid Rent**

Plaintiff asks the Court to confirm a judgment in favor of Plaintiff and against each Defendant named above, jointly and severally, for the full amount of rent due and owing as of the date of trial in this matter.

{%p endif %}

{%p if plaintiff\_is\_represented %}

**Attorney’s Fees**

Plaintiff was required to retain {{attorney.name.full()}} of {{attorney.firm}} to protect Plaintiff’s rights and pursue and defend this suit. Plaintiff asks the Court to confirm a judgment in favor of Plaintiff and against each Defendant named above, jointly and severally, in the amount of Plaintiff’s reasonable and necessary attorney’s fees and costs.

{%p endif %}

{%p if immediate\_possession\_requested %}

**Immediate Possession Bond**

Plaintiff has filed a bond for immediate possession and requests that (1) the Court set the amount of the bond; (2) the Court set the amount of the bond; and (3) proper notices be given to Defendant in compliance with the Texas Rules of Civil Procedure.

{%p endif %}

**Service of Citation**

Plaintiff requests that citation be issued. This petition with citation attached should be served on each defendant named in this suit or to a person over the age of 16 years at {{the\_property.on\_one\_line()}} or wherever each such defendant may be found. If, after reasonable attempts, service has not been successful, Plaintiff asks the Court to authorize alternative service as permitted by the Texas Rules of Civil Procedure.

{%p if jury\_demanded %}

**Jury Demand**

Plaintiff requests a jury trial and will pay the jury fee of {{jury\_fee\_amount | currency}} at least three days before trial.

{%p endif %}

{%p if email\_service\_consented %}

**Consent to Electronic Service**

Plaintiff consents for the answer to this suit and any other motions or pleadings to be served on Plaintiff by electronic mail to {{plaintiff.email}}.

{%p endif %}

**Relief Requested**

Plaintiff requests that Defendant be served with citation and that Plaintiff be awarded a judgment against Defendant for: possession of the premises, including removal of Defendant and Defendant’s property from the Subject Property{% if claiming\_unpaid\_rent %}; unpaid rent{% endif %}{% if plaintiff\_is\_represented %}; attorney’s fees and costs{% endif %}{% if claiming\_unpaid\_rent %}; pre- and post-judgment interest at the rate stated in the lease or, if not stated in the lease or if the rate stated in the lease exceeds the rate permitted for judgments, then at the statutory rate for judgments{% endif %}.

{{p include\_docx\_template(‘docassemble.UsTxFamilyLaw:000\_prose\_signature\_block.docx’)}}

**Declaration**

My name is {{plaintiff.name.full()}}. My date of birth is {{declaration\_date\_of\_birth}}. My address is {{plaintiff.address.on\_one\_line()}}, U.S.A. I declare under penalty of perjury that all information provided is true and correct.

SIGNED in {{execution\_county}}, {{execution\_state}} on {{execution\_date}}.

{{client\_signature}}

{{plaintiff.name.full()}}

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| --- |
| **INSTRUCTIONS**  ***Do not include this page in your filing***  You will need to complete a Statement Regarding Military Service and attach it to this petition before filing the petition.  If you have an e-filing login:   1. If you plan to file the PDF you downloaded, delete this page from the PDF. 2. Log in to the e-filing system. 3. Follow the instructions to file this form into an existing case. 4. When you receive an email message from the e-filing system informing you that the filing has been accepted, download the document and save the version that has the file mark in the upper right corner.   If you do NOT have an e-filing login:   1. Print two copies of this form. 2. Take both copies to the county clerk’s office. 3. Hand both copies to the clerk for filing. 4. The clerk will file and keep one copy and hand you the other one. 5. Keep that copy for your files |