

**TENANT EVICTION PACKAGE
FOR NON-PAYMENT OF RENT ONLY**
(THIS PACKAGE DOES NOT APPLY TO COMMERCIAL PROPERTY NOR MOBILE HOME PARKS,
NOR CLAIMS OF MORE THAN \$15,000.00)

Form #1 – Three Day Notice

Complete the form, make a copy, and give the original to the tenant. Wait three (3) days not including the day of service, weekends, or holidays. If the tenant has not moved or paid the rent after the three day time limit, make a copy of the Three Day Notice for the court file and two (2) copies for each tenant to be submitted with the remaining forms. **Add 5 days if the notice was mailed.** (The date will be 8 straight days, excluding the date mailed.)

Form #2 – Statement of Responsibility

Read the Statement of Responsibility, type or clearly print the names and addresses of the parties, then sign and date the form. (No additional copies are necessary.)

Form #3 – Complaint for Tenant Eviction

Type or clearly print the names and addresses of the parties and fill in the appropriate blank lines. Sign the complaint before a notary public or a deputy clerk. The Clerk's office will need the original and two (2) copies for each adult tenant. **Make a copy of the lease for the court file and two (2) copies for each tenant.**

- **Count I** applies to possession of the property. The Clerk's office will prepare a summons advising the tenant to submit a written response along with the money owed to the clerk's office within five (5) days (not including the day of service, weekends, or holidays.) Personal service is not required to obtain possession if the tenant fails to respond.

If a written response and the back rent is deposited with the Clerk's office **OR** a written response with supporting documents is filed indicating back rent is not owed, a court date may be scheduled with the Court as soon as possible. Notification of the hearing date will be mailed to both parties. The Court will make the determination if the tenant should be made to move at the hearing.

If the tenant fails to file a written response **OR** files a written response with no money deposited with the Clerk's office, obtain a Default package for Count I from the Clerk's office and follow the directions in order to regain possession of the property.

- **Count II** applies to the back rent. The summons will instruct the tenant to file a written response within twenty (20) days (including weekends and holidays). Personal service is required to obtain a Final Judgment against the tenant if the tenant fails to reply.

If a response is filed, a hearing will be scheduled. Notification of the hearing date will be mailed to both parties.

If a response is not filed, obtain a Default package for Count II from the Clerk's office and follow the directions in order to obtain a money judgment.

Form #4 – Certificate of Mailing

Type or clearly print the names and addresses of the parties and fill in the appropriate blank lines. The clerk will sign the Certificate upon mailing.

You will have to pay a filing fee at the time you file your complaint. Effective July 1, 2009, the filing fee is as follows:

- **Filing fee** **\$185.00**
(Cash or check made payable to Neil Kelly, Clerk of Circuit Court)
- **Summons fee** **\$10.00** (per each Summons Issued)
- **Service fee** **\$40.00** (per each tenant)
(Cash or Money Order made payable to Lake County Sheriff)

- **Pre-addressed stamped envelope** (per each tenant)

Additional fees may be required at a later date to complete the eviction process.

**NEIL KELLY, CLERK
COUNTY CIVIL DIVISION
550 W. MAIN STREET
P. O. BOX 7800
TAVARES, FL. 32778-7800
(352) 742-4172**

THREE DAY NOTICE

To: _____

Tenant's Name

Address

City, State, Zip Code

From: _____

Date: _____

You are hereby notified that you are indebted to me in the sum of \$_____, for the rent and use of the premises_____, Florida, now occupied by you and that I demand payment of the rent in full or possession of the premises within three days (excluding Saturday, Sunday, and legal holidays) from the date of delivery of this notice, to wit: on or before the ____ day of _____, 20__ (insert the date which is three days from the delivery of this notice, excluding the date of delivery, Saturday, Sunday, and legal holidays). **Add five days if mailed.** (The date above will be eight straight days, excluding the date mailed).

Signature of Landlord/Property Manager

Address

Print Name of Landlord/ Property Manager
(Circle One)

City, State, Zip Code

Telephone Number

PROOF OF SERVICE

I, the undersigned, being at least 18 years of age, declare under penalty of perjury that I served the Three Day Notice, of which this is a true copy, on the above mentioned Tenant(s) in Possession in the manner indicated below:

_____ On_____, 20___, I handed the notice to the tenant.

_____ I handed the Notice to a person of suitable age and discretion at the tenant's residence/
business on _____, 20___.

_____ I posted the Notice in a conspicuous place at the tenant's residence on
_____, 20___.

_____ I sent by mail a true copy of the Notice to the tenant at his place of residence
on_____, 20___.

Executed on_____, 20___.

Signature of Landlord/Property Manager
(Circle one)

**COUNTY COURT
LAKE COUNTY, FLORIDA**

Case No. _____

Name(s)

Address(es) Physical

Address(es) Mailing

Plaintiff(s)

vs

Name(s)

Address(es) Physical

Address(es) Mailing

Defendant(s)

STATEMENT OF RESPONSIBILITY

Landlord - Tenant Action

Before filing this case I have considered the following matters and acknowledge that:

1. This case is being filed in the County Court under the Landlord and Tenant Law of Florida, Chapter 83 Florida Statutes and as set forth in Chapter 51. That the conduct of this case will be in accordance with the rules of procedure and laws of Florida which apply to this case.
2. The naming of proper parties is an important element of the case and the responsibility for naming the proper plaintiff(s) and defendant(s) in this case is mine.
3. I am responsible for the furnishing of a correct address or location at which the defendant(s) can be served or given notice of this suit.
4. I assume responsibility as to my right to file this case for myself or for the named plaintiff(s) realizing that if the plaintiff is a corporation that such plaintiff may be required to be represented by an attorney.
5. I do not expect the Clerk who receives and files this claim to give me legal advice as to how to prosecute this case and acknowledge that the Clerk is not acting as my attorney or legal advisor.
6. I am solely responsible for the collection of any judgment entered in my favor.

Date

Signature

COUNTY COURT
LAKE COUNTY, FLORIDA

CASE NO. _____

Plaintiff(s) Name and Mailing Address
vs

COMPLAINT FOR TENANT EVICTION

(NON-PAYMENT OF RENT)

Defendant(s) Name and Property Address

COUNT I

Plaintiff sues defendant and alleges:

1. This is an action to evict a tenant from real property in Lake County, Florida. This is not a mobile home in a park. This is not commercial property.
2. Plaintiff owns the following described real property, to-wit:
_____.
3. That the defendant has possession of the property under oral/written agreement (attached) to pay rent of \$_____ per _____ for a total of \$_____.
4. Defendant failed to pay rent due _____.
5. Plaintiff served defendant with a notice on _____ to pay the rent or deliver possession but defendant refuses to do either.

WHEREFORE plaintiff demands judgment for possession of the property against defendant.

COUNT II

Plaintiff sues defendant and alleges:

1. This is an action for damages in the amount of \$_____ that is due for rent for the period of _____ plus any additional rent that may accrue to the time of the hearing for damages. The court may also award physical damages.

WHEREFORE plaintiff demands judgment for damages against defendant.

PLAINTIFF OR AGENT

TELEPHONE NUMBER

STATE OF FLORIDA
COUNTY OF LAKE

SWORN to and subscribed before me by _____, who is personally known to me
or produced _____ as identification this _____ day of
_____.

Deputy Clerk or Notary Public State of Florida
My Commission Expires:

OK to post: Yes____ No____

**COUNTY COURT
LAKE COUNTY, FLORIDA**

Case Number _____

Plaintiff(s) Name and Mailing Address

vs.

Defendant(s) Name and Physical Address

CERTIFICATE OF MAILING

I hereby certify that I mailed a copy of the summons and complaint (with exhibits, if any) by first class mail to:

Defendant(s) physical address

this _____ day of _____, _____.

Neil Kelly
Clerk of the County Court

Deputy Clerk