

NO. \_\_\_\_\_

JUSTICE COURT

\_\_\_\_\_  
PLAINTIFF(S)

VS.

PRECINCT 2

\* \_\_\_\_\_  
DEFENDANT(S)

COOKE COUNTY, TEXAS

\*(Service Fee of \$100 is required for each person listed.)

**EVICITION PETITION**

**COMPLAINT:** Now comes \_\_\_\_\_ (landlord),  
hereinafter referred to as Plaintiff, complaining of \*

\_\_\_\_\_, tenant(s)/occupants(s), of the property described below, hereinafter  
termed Defendant, for Eviction of Plaintiff's premises and alleges the following:

**Plaintiff's name:** \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

I give my **consent** for the answer and any other motions, pleading or notifications to be sent to my  
email address by providing my email address of \_\_\_\_\_.

\***Defendant's full name:** \_\_\_\_\_

List others who live in house: \_\_\_\_\_

**Physical Address/Location of property** (give directions if needed):

\_\_\_\_\_  
\_\_\_\_\_

**Mailing address:** \_\_\_\_\_

Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

**Description of property** (apartment complex, business name, mobile home, frame, brick, color, etc):

\_\_\_\_\_  
Defendant resides at the above described premises which are situated in Justice Precinct Two, Cooke  
County, Texas and may be served with process at above said premises OR at  
\_\_\_\_\_, \_\_\_\_\_ (city), Cooke Texas.  
Plaintiff knows of no other home or work address of the Defendant in Cooke County, Texas. Service  
is requested on Defendant(s) by personal service or alternate service under Rule 510.4.

**NOTICE TO VACATE** Texas Property Code, 24.005: Plaintiff gave Defendant written notice of  
Termination of Agreement, Notice to Vacate and/or demand for possession. Such notice was delivered  
on \_\_\_\_\_, by hand delivery, attached to door, mailing, (circle one)  
and/or \_\_\_\_\_ and  
complies with Section 4024(c) of the CARES Act.

**GROUND FORS FOR EVICTION:** (check all that apply)

\_\_\_\_\_ Plaintiff entered into an agreement with Defendant for \$\_\_\_\_\_ per \_\_\_\_\_ (week/month) for lease of premises.

\_\_\_\_\_ Defendant violated the terms of the agreement by: (Check all that apply.)

\_\_\_\_\_ **Unpaid Rent.** Defendant failed to pay rent in the total amount of \$\_\_\_\_\_ since \_\_\_\_\_ (date of last payment).

\_\_\_\_\_ **Holdover.** Defendant is remaining in possession of premises by failing to vacate at the end of rental term or renewal of extension period after termination of the agreement and written demand to vacate was made by Plaintiff.

\_\_\_\_\_ **Other Lease Violations.** Defendant breached the terms of the lease by: \_\_\_\_\_

**CARES ACT and CDC ORDER :** Please read carefully. If more information is needed see clerk, **Sections 4023 & 4024 of The CARES Act and/or Federal Eviction Moratorium Order issued by CDC.** Any landlord proceeding with a nonpayment eviction of a "covered person" despite receiving a Declaration can be fined up to \$100,000 under federal law, with enhanced penalties, including jail, if a death occurs.

**Initial accordingly.**

\_\_\_\_\_ I hereby verify that this property is **NOT subject to moratorium** on evictions as defined by Section 4024(a)(1) of the CARES Act.

\_\_\_\_\_ I hereby verify that this property **IS subject to moratorium** on evictions as defined by Section 4024(a)(1) of the CARES Act, but non-payment of rent is **not** the reason eviction is sought.

\_\_\_\_\_ I hereby verify that this property **IS subject to moratorium** on evictions as defined by Section 4024(a)(1) of the CARES Act, and rent **is** a reason eviction is sought.

\_\_\_\_\_ I hereby verify that Plaintiff **is** or **is not** (circle one) a multifamily borrower currently under forbearance of Residential Mortgage Loan under Section 4023 of the CARES Act.

\_\_\_\_\_ I HAVE received a **Tenant's Declaration** stating they are covered by the CDC Order.

\_\_\_\_\_ I have **NOT** received a **Tenant's Declaration** stating they are covered by the CDC Order.

\_\_\_\_\_ I hereby verify that I have reviewed the information about the **Texas Eviction Diversion Program** found at [www.txcourts.gov/evictions-diversion](http://www.txcourts.gov/evictions-diversion).

**DAMAGES AND RELIEF:** Plaintiff prays that Defendant be served with citation and that Plaintiff have judgment against Defendant for: possession of premises, including removal of defendant and defendant's possessions from the premises,

\$ \_\_\_\_\_, **Unpaid rent** IF set forth above,

\$ \_\_\_\_\_, **Attorney's fees**, if employment of council has been necessary.

\$ \_\_\_\_\_, **Contractual Late fees** (per 92.019 Property Code) (lease signed after 9/1/19),

\$ \_\_\_\_\_, **Court Costs**,

\$ \_\_\_\_\_, **Total** as of date signed. Plaintiff reserves the right to amend the amount to include rent due from date of filing through trial date, and interest on the above sums at the rate stated in the contract, or if not so stated, at the maximum amount allowed by law.

\_\_\_\_\_  
PLAINTIFF or PLAINTIFF'S AGENT

\_\_\_\_\_  
Printed Name, Title or Relationship

SWORN TO AND SUBSCRIBED BEFORE me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

( SEAL )

\_\_\_\_\_  
CLERK OF THE COURT -or- NOTARY PUBLIC