

DIVISION:

CIVIL

CASE NUMBER:

PLAINTIFF

VS. DEFENDANT

**EVICTON SUMMONS**

Residential

TO:

PLEASE READ CAREFULLY

You are being sued by \_\_\_\_\_ to require you to move out of the place where you are living for the reasons given in the attached complaint.

You are entitled to a trial to determine whether you can be required to move, but you MUST do ALL of the things listed below. You must do them within FIVE (5) days (not including Saturday, Sunday, or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at your home.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

- (1) Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the Clerk of the Court at the Sarasota County Courthouse, P.O. Box 3079, Sarasota, Florida 34230.
- (2) Mail or give a copy of your written reason(s) to Plaintiff/Plaintiff's Attorney.

- (3) Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of the Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney.
- (4) If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.

**IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.**

- (5) If the attached complaint also contains a claim for money damages (such as unpaid rent, you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk of the Court at the address specified in paragraph (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you or were posted at your home. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

THE STATE OF FLORIDA;  
 TO EACH SHERIFF OF THE STATE;

You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named defendant.

FILED FOR RECORD STAMP

**KAREN E. RUSHING**  
**CLERK OF THE CIRCUIT COURT**

BY:

Deputy Clerk

DATE: \_\_\_\_\_

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA  
 IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

DIVISION:

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VS. DEFENDANT

**COMPLAINT FOR EVICTION AND DAMAGES**

Insert name of Landlord  
 Plaintiff, \_\_\_\_\_  
 vs.  
 Insert name of Tenant  
 Defendant  
 \_\_\_\_\_

1. This is an action to evict a tenant from real property in \_\_\_\_\_  
 Plaintiff, \_\_\_\_\_ (Insert name of Landlord)  
 \_\_\_\_\_, \_\_\_\_\_ (Insert name of Tenant) and alleges:

2. Plaintiff owns the following described real property in said county: \_\_\_\_\_  
 \_\_\_\_\_ (Insert county in which the rental property is located)  
 \_\_\_\_\_ County, Florida.

3. Defendant has possession of the property under a/an (oral/written) agreement to pay rent of \_\_\_\_\_  
 \_\_\_\_\_ (Insert legal or street description of rental property including, if applicable, unit number)  
 \$ \_\_\_\_\_ payable \_\_\_\_\_ (Insert rental amount)  
 \_\_\_\_\_ (Insert term of rental payments, i.e., weekly, monthly, etc.)

A copy of the written agreement, if any, is attached as Exhibit "A".

4. Defendant failed to pay the rent due \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_ (Insert date of payment Tenant has failed to make)

Approved for use under rule 10-2.1(a) of the rules regulating The Florida Bar  
 The Florida Bar 1993  
 FILED FOR RECORD STAMP

This form was completed with the assistance of:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

Landlord's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

WHEREFORE, Plaintiff demands judgment for damages against Defendant.

(Insert date of last rental payment tenant failed to make.)  
\_\_\_\_\_ 20\_\_

8. Defendant owes Plaintiff \$ \_\_\_\_\_ that is due with interest since

7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.

6. This is an action for damages that do not exceed \$15,000.

COUNT II  
Damages

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

5. Plaintiff served Defendant with a notice on \_\_\_\_\_ to pay the rent or deliver possession but Defendant refused to do either. A copy of the notice is attached, Exhibit "B".

(Insert date of notice)  
\_\_\_\_\_ 20\_\_

Deputy Clerk

BY:

DATE:

KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT

JUDGE OF THE COUNTY COURT

DONE AND ORDERED at Sarasota County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

2. That Plaintiff recover from said Defendant court costs herein taxed in the sum of \$\_\_\_\_\_ for which let execution issue.

Sarasota County, Florida, for which let Writ of Possession issue.

1. That a Final Judgment be and the same is hereby entered in favor of the Plaintiff, \_\_\_\_\_, against the Defendant, \_\_\_\_\_, for possession of the premises located at and known as: \_\_\_\_\_

It is ORDERED AND ADJUDGED:

This cause coming before the Court upon Plaintiff's Petition for Removal of Tenant, and the Court being fully advised,

FINAL JUDGMENT FOR POSSESSION

STAMP FOR RECORDING

PLAINTIFF		VS. DEFENDANT	
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<input type="checkbox"/>	IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA	<input type="checkbox"/>	IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA  
 IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

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**MOTION FOR DEFAULT (EVICTION)**

Plaintiff(s) \_\_\_\_\_ move(s) for entry of a default by the judge against the Defendant(s): \_\_\_\_\_

1. Service of process was accomplished on \_\_\_\_\_
2. Defendant(s) has/have filed a written response with the Clerk.
3. The defense is one other than payment.
4. Defendant(s) has/have failed to pay rent into the registry of the court within 5 days, (excluding Saturdays, Sundays, and legal holidays), after the date of service of process.

Plaintiff/Attorney \_\_\_\_\_

**DEFAULT**

A default is entered in this action against the defendant(s) \_\_\_\_\_ in the foregoing motion for failure to deposit funds as required by law. Entered this \_\_\_\_\_ day of \_\_\_\_\_ County Court Judge \_\_\_\_\_

FILED FOR RECORD STAMP

**KAREN E. RUSHING**  
**CLERK OF THE CIRCUIT COURT**

BY:

Deputy Clerk

DATE: \_\_\_\_\_

KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
BY: \_\_\_\_\_  
, Deputy Clerk  
DATE:

A default is entered in this action against the defendant(s) named in the foregoing motion for failure to serve or file any papers required by law.

**DEFAULT**

\_\_\_\_\_  
Plaintiff/Attorney

for failure to serve any paper on the undersigned or file any paper as required by law.

Plaintiff(s) move(s) for entry of a default by the Clerk against the defendant(s):

**MOTION FOR DEFAULT AND DEFAULT**

PLAINTIFF

VS. DEFENDANT

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