

Residential Eviction Forms and Information

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**THIS PACKET IS FOR POSSESSION OF PROPERTY
ONLY - NO MONEY DAMAGES**

NO REFUNDS

NOTICE

This information and these forms are made available only as a courtesy of Angelina Colonnese, Clerk of Circuit Court, and are not intended to take the place of an attorney. The Clerk's Office cannot answer legal questions. If you have any questions after reading this information, please contact an attorney.

You may visit the Manatee County Law Library located at 1051 Manatee Ave West, Bradenton FL on the First Floor of the Judicial Center.

Florida Statute Chapter 83 governs the eviction practice and procedures.

Guidelines for Residential Eviction - Non-Payment of Rent

Please note: This information and these forms are applicable for residential evictions only

Chapter 83 of Florida Statutes provides the steps to follow in an eviction case. The following information is provided to inform you as to what documents must be filed and the costs involved in an eviction and damages case.

The filing fee, payable to the Clerk of Court, can be found on manateeclerk.com under "Fee Schedule". Payment may be in the form of cash, personal check, Visa, MasterCard or Discover credit card with proper identification.

Enclosed in this packet you will find the basic forms necessary for eviction and damages for non-payment of rent. This is to enable you to regain possession of the property and provides for claims for the back rent /damages owed to you.

Step One: Prepare and Serve Three-Day Notice

Before filing a Complaint to recover possession, a landlord must serve a Three-Day Notice demanding payment of rent or possession of the premises within three (3) days (excluding Saturday, Sunday, and legal holidays) after the date of delivery of notice. Service may be by Certified mail, leaving a copy on the premises, or hand delivery. After the expiration time on the service of the Three-Day Notice you may proceed with filing the Complaint for Eviction.

Step Two: File Complaint

The landlord shall file the original Complaint and sufficient copies of Complaint for each tenant with the Clerk. The Court must also receive a copy of the Three-Day Notice and a copy of the lease, if one exists. You must also attach a copy of the notice and lease to each copy of the Complaint. The Complaint must be signed by the landlord in the presence of a deputy clerk or must be notarized by a notary public.

Step Three: Issuance of Summons

After the Complaint is filed and the fee paid, the Clerk will issue an Eviction Summons/Residential. A copy of the Complaint, three-day notice, and lease (if one exists) will be attached for service on the tenant. The Summons can be served by the Sheriff or a private process server. If you would like to have the summons delivered by our courier, the Sheriff's fee must be in the form of business check or money order. If paid by cash, you must personally deliver the Summons to the Sheriff's Office, Civil Processing Department. Please contact their office for fees. For a private process Private process server, please consult them directly for their fees and procedure of service.

Step Four: Certificate of Mailing and Non-Military Affidavit

If the tenant cannot be served either personally or by substitute service, the summons can be served by posting (attaching to a conspicuous part of the premises). If this occurs, the landlord must request the Clerk to mail notice to the tenant by "Certificate of Mailing." This form is included in this packet. The tenant must be served personally or by substitute service to enter a default for damages.

The Tenant will have five days, after service, to file a written response to a Complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the Tenant fails to file a written response in that time the Landlord is entitled to a judgment by default. Obtaining the judgment is a two-step process. First, a Clerk's default should be obtained by delivering to the Clerk of the Court an executed Motion-for Clerk's Default. Form 76 should be used to obtain a Clerk's default when the Tenant has failed to respond to an eviction complaint and Form 77 should be used to obtain a Clerk's default when the Tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, Form 81, Nonmilitary Affidavit, must be filed with the Clerk if the Tenant was not served by personal service.

Step Five: Answer by Tenant

The tenant has five days (exclusive of Saturdays, Sundays and holidays) after service of the Summons to file an answer. If an answer is filed and monies are deposited, the landlord must request the Court to schedule a hearing.

Step Six: Default

If the tenant fails to answer the Summons, the landlord may file a Motion for Default by Clerk/Default and proceed with obtaining a Final Judgment for Possession and obtain a Writ of Possession. These forms are included in this packet.

The Clerk is authorized to enter a Default at the end of five days after service is obtained upon the tenant. Upon the default being entered by the Clerk, the Judge will then review the file and enter the Final Judgment for Possession and direct the Clerk to issue the Writ of Possession.

The Clerk is not authorized to enter Default if tenant files an answer and does not deposit monies. The landlord may file a Motion for Default by Court and proceed with obtaining a Final Judgment for Possession. The Judge will then review the file and determine to proceed with Final Judgment for Possession or set it for a hearing.

Step Seven: Final Judgment for Possession only

A completed Affidavit of Costs must be submitted to the Clerk along with the original Final Judgment for Possession that you are requesting the Judge to sign. You will need to furnish the Clerk with a copy of the Final Judgment for each of the tenants and yourself, along with self-addressed stamped envelopes to the tenant(s) and yourself for mailing the conformed copy of the Final Judgment once the Judge has signed it.

Step Eight: Writ of Possession

The Writ of Possession must be presented to the Clerk for issuance after the Final Judgment of Possession has been entered by the Judge. The Clerk will need an original and two copies. The Writ will describe the premises and command the Sheriff to put the landlord in possession of the dwelling after 24 hours' notice conspicuously posted on the premises. The Writ must be served by the Sheriff. If you would like to have the Writ delivered by our courier, the Sheriff's fee must be in the form of business check or money order. If paid by cash, you must personally deliver the Writ to the Sheriff's Office, Civil Processing Department. Please contact their office for fees. All inquiries as to the status of the Writ of Possession once it has been issued and delivered to the Sheriff should be directed to their office. Their phone number is 941-747-3011, Ext. 2256

Step Nine: Alias Summons (if applicable)

If the Summons was posted, you must obtain either personal service or constructive service on the defendant(s) to proceed to step ten.

Step Ten: Default

If the tenant fails to file a separate answer to the Summons on Count II for damages the landlord may file a Motion for Default by Clerk/Default as to Count II at the end of 20 days after service is obtained on the tenant(s)/defendant(s). The Judge will again review the file and enter the Final Judgment for Damages. If the defendant files a separate written response to Count II, you will need to set a hearing with the Judge.

Step Eleven: Final Judgment for Damages:

A completed Affidavit of Damages must be submitted to the Clerk along with the original Final Judgment for Damages that you are requesting the Judge to sign. You will need to furnish the Clerk with a copy of the Final

Judgment for Damages for each tenant/defendant and yourself, along with self-addressed stamped envelopes to the tenant(s)/defendant(s) and yourself for mailing the conformed copy of the Final Judgment for Damages once the Judge has signed it.

Step Twelve: Notice of Dismissal

If your eviction case becomes settled prior to the court entering a Final Judgment, you must file with the Clerk a Notice of Dismissal. This will eliminate the Court and Clerk to notice you at a later date to dispose of your case that was never properly settled by the filing of a Final Judgment or Notice of Dismissal.

THE FOLLOWING FORMS ARE INCLUDED IN THIS PACKET

instructions on how many copies are needed for filing appear by each form**

- 1) **Three-day Notice to Tenant/Demand for Payment or Possession**
Original is to be served/hand delivered/posted/mailed to tenants
One copy to be attached to complaint for eviction
2 additional copies for each tenant named in the eviction
- 2) **Lease signed, if there is one - Clerk needs the following:**
One copy to be attached to complaint for eviction
2 additional copies for each tenant named in the eviction
- 3) **Complaint For Eviction and Damages:**
Original for court file
2 copies for each tenant named in the eviction
- 4) **Eviction Summons/ Residential** (5-day eviction only – 20-day for damages)
Each tenant must be served with a Summons. The Landlord must furnish the clerk with 3 copies of the summons for each tenant named in the eviction. This packet provides you with 3 copies of the Summons. ** Please note the Summons is a 4 page document which includes the French and Spanish translation of this document ** If more tenants are named in the eviction you must furnish Clerk with 3 copies for each tenant
- 5) **Certificate of Mailing and Non-Military Affidavit**
One original for court file; you must provide an addressed stamped envelope for each tenant for the Certificate of Mailing only
- 6) **Motion for Default by Clerk as to Count I - Eviction** (to be used if tenant does not answer) - Original for court file
Motion for Default by Court as to Count I - Eviction (to be used if tenant files written response and **does not** deposit money into court registry).
Original for court file
- 7) **Motion for Hearing** (to be used if tenant deposits money into court registry)
Original for court file; landlord to mail copy of the Motion for Hearing to tenant(s)

- 8) **Notice of Hearing** (to be used if tenant deposits money into court registry)
Original for court file; a copy for landlord with an addressed stamped envelope; a copy for to each tenant with an addressed stamped envelope
- 8) **Affidavit of Costs**
Original for court file – no copies required
- 9) **Final Judgment for Possession**
Original for court; a copy for landlord with an addressed stamped envelope; a copy for each tenant with an addressed stamped envelope
- 10) **Writ of Possession**
Original and one copy for the Sheriff. Fee to Manatee County Sheriff's Department, business check or money order. You will need Driver License information of person signing business check.
- 11) **Motion for Default by Clerk as to Count II – Damages/Default**
To be used if the tenant/defendant does not answer. Original for Court file.
- 11) **Motion for Default Final Judgment-Damages**
To be used if tenant/defendant fails to file a written response to Count II of the complaint. Original for Court file; Landlord/Plaintiff must mail a copy of the Notice to the tenant/defendant so they know the court date.
- 12) **Notice of Hearing**
To be used if the tenant/defendant files a written response to Count II for damages of the complaint
- 13) **Affidavit of Damages**
Original for court file – no copies required
- 14) **Final Judgment-Damages**
Original for court file and 1 copy for each defendant/tenant. Self-addressed stamped envelopes – one for each defendant/tenant and one for the landlord/plaintiff.
- 16) **Notice of Dismissal**
Original for court file; landlord must mail a copy of the Notice of Dismissal to the tenant

**THREE-DAY NOTICE TO TENANT
DEMAND FOR PAYMENT OR POSSESSION**

Florida Statutes 83.56

MANATEE COUNTY, FLORIDA _____ (Date)

TO: _____

(Name of tenant and street address)

You are hereby notified that you are indebted to me in the sum of \$ _____ for the rent and use of the premises located at _____ (address of leased premises, including county and state), now occupied by you. I demand payment of the rent in full or possession of the premises within three (3) days (excluding Saturday, Sunday, and legal holidays) from the date of delivery of this notice, to wit: on or before the following date (month/day/year) _____.

Landlord's Name _____

Address _____

Phone Number _____

I hereby certify that a copy of the following Notice was served upon the above named tenant(s) at the above address on the following date:

(month/day/year) _____

by the following means:

- Certified Mail - Return Receipt Requested
- Hand delivered to tenant
- Leaving a copy at the premises

Signature

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

Plaintiff / Landlord

v.

Case No.: _____

Defendant / Tenant

CONSENT TO CASE CLOSURE AFTER 90 DAYS OF INACTIVITY

Plaintiff/Landlord does hereby consent to the closure of this case upon 90 days of inactivity.

I hereby certify that a true and correct copy of the foregoing has been furnished by U.S. Mail, email service, or initial service of process to the above-named Defendant(s) / Tenant(s).

Dated this _____ day of _____, 20_____.

Plaintiff / Landlord

FORM 1.997.

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL
COVER SHEET**

Plaintiff must file this cover sheet with the first document filed in the action or proceeding (except small claims cases, probate, or family cases). Domestic and juvenile cases should be accompanied by a completed Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases. Failure to file a civil cover sheet in any civil case other than those excepted above may result in sanctions.

I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of plaintiff(s) and defendant(s).

II. Amount of Claim. Enter the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes and is not considered dispositive of the claim.

III. Type of Case. Place an "X" on the appropriate line. If the cause fits more than one type of case, select the most definitive. If the most definitive label is a subcategory (indented under a broader category label), place an "X" on the category and subcategory lines. Definitions of the cases are provided below in the order they appear on the form.

Circuit Civil

(A) Condominium—all civil lawsuits pursuant to Chapter 718, Florida Statutes, in which a condominium association is a party.

(B) Contracts and indebtedness—all contract actions relating to promissory notes and other debts, including those arising from the sale of goods, but excluding contract disputes involving condominium associations.

(C) Eminent domain—all matters relating to the taking of private property for public use, including inverse condemnation by state agencies, political subdivisions, or public service corporations.

(D) Auto negligence—all matters arising out of a party's allegedly negligent operation of a motor vehicle.

(E) Negligence—other—all actions sounding in negligence, including statutory claims for relief on account of death or injury, that are not included in other main categories.

(F) Business governance—all matters relating to the management, administration, or control of a company.

(G) Business torts—all matters relating to liability for economic loss allegedly caused by interference with economic or business relationships.

(H) Environmental/Toxic tort—all matters relating to claims that violations of environmental regulatory provisions or exposure to a chemical caused injury or disease.

(I) Third party indemnification—all matters relating to liability transferred to a third party in a financial relationship.

(J) Construction defect—all civil lawsuits in which damage or injury was allegedly caused by defects in the construction of a structure.

(K) Mass tort—all matters relating to a civil action involving numerous plaintiffs against one or more defendants.

(L) Negligent security—all matters involving injury to a person or property allegedly resulting from insufficient security.

(M) Nursing home negligence—all matters involving injury to a nursing home resident resulting from negligence of nursing home staff or facilities.

(N) Premises liability—commercial—all matters involving injury to a person or property allegedly resulting from a defect on the premises of a commercial property.

(O) Premises liability—residential—all matters involving injury to a person or property allegedly resulting from a defect on the premises of a residential property.

(P) Products liability—all matters involving injury to a person or property allegedly resulting from the manufacture or sale of a defective product or from a failure to warn.

(Q) Real property/Mortgage foreclosure—all matters relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property, including foreclosures associated with condominium associations or condominium units. (The amount of claim specified in Section II. of the form determines the filing fee pursuant to section 28.241, Florida Statutes.)

(R) Commercial foreclosure—all matters relating to the termination of a business owner's interest in commercial property by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property.

(S) Homestead residential foreclosure—all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has been granted a homestead exemption.

(T) Nonhomestead residential foreclosure—all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has not been granted a homestead exemption.

(U) Other real property actions—all matters relating to land, land improvements, or property rights not involving commercial or residential foreclosure.

(V) Professional malpractice—all professional malpractice lawsuits.

(W) Malpractice—business—all matters relating to a business's or business person's failure to exercise the degree of care and skill that someone in the same line of work would use under similar circumstances.

(X) Malpractice—medical—all matters relating to a doctor's failure to exercise the degree of care and skill that a physician or surgeon of the same medical specialty would use under similar circumstances.

(Y) Malpractice—other professional—all matters relating to negligence of those other than medical or business professionals.

(Z) Other—all civil matters not included in other categories.

(AA) Antitrust/Trade regulation—all matters relating to unfair methods of competition or unfair or deceptive business acts or practices.

(AB) Business transactions—all matters relating to actions that affect financial or economic interests.

(AC) Constitutional challenge—statute or ordinance—a challenge to a statute or ordinance, citing a violation of the Florida Constitution.

(AD) Constitutional challenge—proposed amendment—a challenge to a legislatively initiated proposed constitutional amendment, but excluding challenges to a citizen-initiated proposed constitutional amendment because the Florida Supreme Court has direct jurisdiction of such challenges.

(AE) Corporate trusts—all matters relating to the business activities of financial services companies or banks acting in a fiduciary capacity for investors.

(AF) Discrimination—employment or other—all matters relating to discrimination, including employment, sex, race, age, handicap, harassment, retaliation, or wages.

(AG) Insurance claims—all matters relating to claims filed with an insurance company.

(AH) Intellectual property—all matters relating to intangible rights protecting commercially valuable products of the human intellect.

(AI) Libel/Slander—all matters relating to written, visual, oral, or aural defamation of character.

(AJ) Shareholder derivative action—all matters relating to actions by a corporation's shareholders to protect and benefit all shareholders against corporate management for improper management.

(AK) Securities litigation—all matters relating to the financial interest or instruments of a company or corporation.

(AL) Trade secrets—all matters relating to a formula, process, device, or other business information that is kept confidential to maintain an advantage over competitors.

(AM) Trust litigation—all civil matters involving guardianships, estates, or trusts and not appropriately filed in probate proceedings.

County Civil

(AN) Civil – all matters involving claims ranging from \$8,001 through \$30,000 in damages, exclusive of interest, costs, and attorney fees.

(AO) Replevins—all lawsuits pursuant to Chapter 78, Florida Statutes, involving claims up to \$30,000.

(AP) Evictions—all matters involving the recovery of possession of leased land or rental property by process of law.

(AQ) Other civil (non-monetary)—includes all other non-monetary county civil matters that were not described in other county civil categories.

IV. Remedies Sought. Place an “X” on the appropriate line. If more than one remedy is sought in the complaint or petition, check all that apply.

V. Number of Causes of Action. If the complaint or petition alleges more than one cause of action, note the number and the name of the cause of action.

VI. Class Action. Place an “X” on the appropriate line.

VII. Related Cases. Place an “X” on the appropriate line.

VIII. Is Jury Trial Demanded In Complaint? Check the appropriate line to indicate whether a jury trial is being demanded in the complaint.

ATTORNEY OR PARTY SIGNATURE. Sign the civil cover sheet. Print legibly the name of the person signing the civil cover sheet. Attorneys must include a Florida Bar number. Insert the date the civil cover sheet is signed. Signature is a certification that the filer has provided accurate information on the civil cover sheet, **and has read and complied with the requirements of Florida Rule of Judicial Administration 2.425.**

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

(Name of Court) _____
Plaintiff _____ Case # _____
_____ Judge _____

vs.
Defendant _____

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. \$ _____

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- _____ Condominium
- _____ Contracts and indebtedness
- _____ Eminent domain
- _____ Auto negligence
- _____ Negligence—other
 - _____ Business governance
 - _____ Business torts
 - _____ Environmental/Toxic tort
 - _____ Third party indemnification
 - _____ Construction defect
 - _____ Mass tort
 - _____ Negligent security
 - _____ Nursing home negligence
 - _____ Premises liability—commercial
 - _____ Premises liability—residential
- _____ Products liability
- _____ Real property/Mortgage foreclosure

- Commercial foreclosure
- Homestead residential foreclosure
- Non-homestead residential foreclosure
- Other real property actions
- Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Civil
- Replevins
- Evictions
- Other civil (non-monetary)

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: []

(Specify) _____

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case No. _____

Plaintiff/Landlords Name

Address

City, State, Zip Code

Telephone Number

vs

Defendant/Tenants Name

Address

City, State, Zip Code

Telephone Number

COMPLAINT

Plaintiff(s) sues defendant(s) and alleges:

- 1) This is an action to remove a tenant from real property in Manatee County, Florida;
- 2) Plaintiff owns the following described real property in the County: _____;
- 3) Defendant has possession of the property under (oral/written) agreement to pay rent in the amount of \$_____ payable weekly/monthly (You must specify whether the rental agreement is oral or written and if written, a copy of agreement must be attached);
- 4) Defendant failed to pay the rent due by the date of/week of: _____;
- 5) Plaintiff served defendant with a notice on (date) _____, to pay the rent or deliver possession of the property, but defendant refuses to do either.

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

Plaintiff(s) signature

Plaintiff(s) mailing address

City, State, Zip Code, Phone Number

SWORN to and subscribed before me on the date (month/day/year) _____

by _____, who is/are personally known to me or has/have produced _____ as identification.

Angelina Colonnese, Clerk of County Court

By: _____ or: _____

Deputy Clerk

Notary Public Signature

Notary Name Typed, Printed or Stamped

Commission expires: _____

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case Number _____

Plaintiff/Landlord

vs.

Defendant(s)/Tenant(s)

EVICTION SUMMONS/RESIDENTIAL

To:

Defendant/Tenant

(Name, address & phone number of Tenant)

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 decide whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 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 Manatee County Courthouse, 1115 Manatee Ave. West, P. O. Box 25400, Bradenton, FL 34206.
2. Mail or give a copy of your written reason(s) to:

(Name Plaintiff/Landlord/Plaintiff's/Landlord's Attorney)

Address

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/landlord/plaintiff's/landlord'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.

CAUTION: Any payment to the Clerk of Circuit Court must be tendered in cash, cashier's check or money order and must be accompanied by payment of the Clerk's Registry Fee of 3% of the first \$500 and 1.5% of the balance over \$500. Payment should be payable to Angelina Colonnese, Clerk of Circuit Court.

IF YOU DO NOT DO ALL OF THESE THINGS 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.

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.

Dated on _____, 20_____.

Angelina Colonnese
CLERK OF THE COUNTY COURT

By: _____
AS DEPUTY CLERK

NOTICE: If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

In and for Manatee County:

If you cannot afford an attorney, contact Gulfcoast Legal Services at (941) 746-6151 or www.gulfcoastlegal.org, or Legal Aid of Manasota at (941) 747-1628 or www.legaidofmanasota.org. If you do not qualify for free legal assistance or do not know an attorney, you may email an attorney referral service (listed in the phone book) or contact the Florida Bar Lawyer Referral Service at (800) 342-8011.

NOTIFICACION DE DESALOJO/RESIDENCIAL

A:

SIRVASE LEER CON CUIDADO

Usted está siendo demandado por _____ para exigirle que desaloje el lugar donde por los motivos que se expresan en la demanda adjunta. Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero **ES NECESARIO** que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriado) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

USTED DEBERA HACER LO SIGUIENTE:

- 1) Escribir el (los) motivo (s) por el (los) cual (es) cree (es) cree que no se le debe obligar a mudarse. El (Los) motivo (s) deberá (n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Manatee, 1115 Manatee Ave. West, P.O. Box 25400 Bradenton, FL 34206.
- 2) Enviar por correo o darle su (s) motivos por escrito a:

(Demandante/Abogado del Demandante)

DIRECCION:

- 3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, así como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse. Si usted presenta una moción, deberá adjuntarle a este cualquier documento que respalden su posición, y enviar por correo o entregar una copie de la misma al demandante/abogado del demandante.
- 4) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio este pendiente.

PRECAUCION: Cualquier pago de alquiler pagado al Secretario del Tribunal debe ser remitido en efectivo o transgiro y debe ser acompañado con el costo de registro del Secretario del Tribunal que es lo siguiente: 3% del los primeros \$500.00 y 1.5 % del balance encima de los \$500.00. Pago debe ser remitido a Angelina Coloneso, Clerk of Circuit Court.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESALOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.

AVISO: Si usted es una persona con una incapacidad que necesita cualquier acomodación en orden de participar en el procedimiento, Usted esta intitulado, a no costo suyo, la provisión de cierta ayuda. Favor de contactar al Manatee County Jury Office, P.O.Box 25400, Bradenton, FL.34206 (941) 741-4062, dentro de siete días laborables antes de su audiencia tribunal o atediantemente al recibir esta notificación si su audiencia tribunal es menos de siete días: si usted tiene una incapacidad de oír o hablar llame al 711

CITATION D'EVICITION/RESIDENTIELLE

Vous êtes poursuivi par _____ pour exiger que vous évacuez les lieux de votre résidence pour les raisons énumérées dans la plainte ci-dessous.

Vous avez la droit à un procès pour déterminer si vous devez déménager, mais VOUS DEVEZ, au préalable, SUIVRE les instructions énumérées ci-dessous, pendant les cinq (5) jours (le Samedi, le Dimanche et les jours fériés non compris) à partir de la date quand ces documents ont été donnés à vous ou à la personne habitant avec vous ou ont été affichés à votre résidence.

LISTE DES INSTRUCTIONS À SUIVRE

1. Enumérer par écrire les raisons pour lesquelles vous pensez ne pas avoir à déménager. Elles doivent être remises au clerc du tribunal à Manatee, 1115 Manatee Avenue West, P.O. Box 25400, Bradenton, FL 34206.
2. Envoyer ou donner une copie au: (Plaignant/Avocat du Plaignant) _____
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4. Si vous faites une demande de justice pour déterminer la somme à payer au clerc du tribunal, vous devez immédiatement prévenir le bureau de juge qui présidera au procès pour fixer la date de l'audience pour décidera quelle somme doit être payée au clerc du tribunal pendant que le procès est en cours.

AVERTISSEMENT: Aucun montant au clerc du tribunal doit être payé avec de l'argent, une chèque de caissier ou un mandat et doit être accompagné par le montant des frais d'Enregistrer du Clerc de 3% de la premier \$500 et 1.5% de la balance sur \$500. Les chèques ou les ordres d'argent doit être écrit à Angelina Coloneso, Clerk of Circuit Court.

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ATTENTION : Si vous êtes une personne avec une incapacité qui a besoin d'assistance pour participer dans ce procès, vous avez droit à assistance sans frais à vous. Veuillez contacter le Manatee County Jury Office, P.O. Box 25400, Bradenton, FL 34206 ou téléphoner a 941-741-4062 pendant sept (7) jours d'affaires de votre recette de ce citation d'éviction ; si vous avez les difficultés de parole ou d'ouïe, veuillez téléphoner 711.

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case Number _____

Plaintiff/Landlord

vs.

Defendant(s)/Tenant(s)

EVICTIION SUMMONS/RESIDENTIAL

To:

Defendant/Tenant

(Name, address & phone number of Tenant)

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 decide whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 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 Manatee County Courthouse, 1115 Manatee Ave. West, P. O. Box 25400, Bradenton, FL 34206.
2. Mail or give a copy of your written reason(s) to:

(Name Plaintiff/Landlord/Plaintiff's/Landlord's Attorney)

_____ Address

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/landlord/plaintiff's/landlord'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.

CAUTION: Any payment to the Clerk of Circuit Court must be tendered in cash, cashier's check or money order and must be accompanied by payment of the Clerk's Registry Fee of 3% of the

first \$500 and 1.5% of the balance over \$500. Payment should be payable to Angelina Colonnese, Clerk of Circuit Court.

IF YOU DO NOT DO ALL OF THESE THINGS 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.

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.

Dated on _____, 20_____.

Angelina Colonnese
CLERK OF THE COUNTY COURT

By: _____
AS DEPUTY CLERK

NOTICE: If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

In and for Manatee County:

If you cannot afford an attorney, contact Gulfcoast Legal Services at (941) 746-6151 or www.gulfcoastlegal.org, or Legal Aid of Manasota at (941) 747-1628 or www.legaidofmanasota.org. If you do not qualify for free legal assistance or do not know an attorney, you may email an attorney referral service (listed in the phone book) or contact the Florida Bar Lawyer Referral Service at (800) 342-8011.

NOTIFICACION DE DESALOJO/RESIDENCIAL

A:

SIRVASE LEER CON CUIDADO

Usted esta siendo demandado por _____ para exigirle que desaloje el lugar donde por los motivos que se expresan en la demanda adjunta. Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero **ES NECESARIO** que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriado) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted, o se colocaron en su casa.

USTED DEBERA HACER LO SIGUIENTE:

- 5) Escribir el (los) motivo (s) por el (los) cual (es) cree (es) cree que no se le debe obligar a mudarse. El (Los) motivo (s) deberá (n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado de Manatee, 1115 Manatee Ave. West, P.O. Box 25400 Bradenton, FL 34206.
- 6) Enviar por correo o darle su (s) motivos por escrito a:

(Demandante/Abogado del Demandante)

DIRECCION:

- 7) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adeudado, así como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse. Si usted presenta una moción, deberá adjuntarle a este cualquier documento que respalden su posición, y enviar por correo o entregar una copie de la misma al demandante/abogado del demandante.
- 8) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio este pendiente.

PRECAUCION: Cualquier pago de alquiler pagado al Secretario del Tribunal debe ser remitido en efectivo o transgiro y debe ser acompañado con el costo de registro del Secretario del Tribunal que es lo siguiente: 3% del los primeros \$500.00 y 1.5 % del balance encima de los \$500.00. Pago debe ser remitido a Angelina Colonnese, Clerk of Circuit Court.

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IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case Number _____

Plaintiff/Landlord

vs.

Defendant(s)/Tenant(s)

EVICTION SUMMONS/RESIDENTIAL

To:

Defendant/Tenant

(Name, address & phone number of Tenant)

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 decide whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 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.

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Angelina Colonnese
CLERK OF THE COUNTY COURT

By: _____
AS DEPUTY CLERK

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NOTIFICACION DE DESALOJO/RESIDENCIAL

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(Demandante/Abogado del Demandante)

DIRECCION:

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IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case No. _____

Landlord/Plaintiffs Name

Address

City, State, Zip Code

vs

Tenant/Defendants Name

Address

City, State, Zip Code

CERTIFICATE OF MAILING

I, Angelina Colonnese, Clerk of Circuit Court, do hereby certify that pursuant to Florida Statutes 83.22 the landlord has provided the Clerk of the Court with copies of the complaint and pre-stamped envelopes addressed to the defendant(s) for first-class mailing.

I further certify that the filing of this Certificate of Mailing has been properly docketed and on the date below copies of the summons and complaint were mailed to:

(name and mailing address of tenant(s))

Service shall be effective on the date of posting or mailing, whichever occurs later; and at least 5 days from the date of service must have elapsed before a judgment for final removal of the defendant may be entered.

Dated on _____

Angelina Colonnese
CLERK OF THE COUNTY COURT
Manatee County, Florida

BY: _____
Deputy Clerk

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

[insert name of Landlord]
Plaintiff,

vs.

CASE NO. _____

NONMILITARY AFFIDAVIT

[insert name of Tenant]
Defendant.

On this day personally appeared before me, the undersigned authority, _____,
who, after being first duly sworn, says:

Defendant, _____, is known by Affiant not to be in the military service or
any governmental agency or branch subject to the provisions of the Soldiers' and Sailors' Civil Relief Act.

DATED: _____

Signature of Affiant

Name: _____

Address: _____

Telephone No. _____

Sworn and subscribed before me on _____ [date], by
_____ [name], who _____ is personally known to me _____ produced
_____ [document] as identification and who took an oath.

NOTARY PUBLIC-STATE OF FLORIDA

Name: _____

Commission No. _____

My Commission Expires _____

I CERTIFY that I _____ mailed, _____ faxed and mailed, or _____ hand delivered a copy of this
motion and attached affidavit to the Defendant at

_____ [insert address at which

Tenant was served and fax number if sent by fax].

Name _____

Address _____

Fax No. _____

In the County Court in and for Manatee County, Florida

Case No. _____

Plaintiff(s) Name

Address

City, State, Zip Code

Telephone Number

vs

Defendant(s) Name

Address

City, State, Zip Code

Telephone Number

MOTION FOR DEFAULT BY CLERK

Plaintiff(s) move(s) for entry of a default by the Clerk against defendant(s) for failure to serve any paper on the undersigned or file any paper as required by law.

Plaintiff(s) or Attorney for Plaintiff(s) Signature

Plaintiff(s)/ Attorney for Plaintiff(s)

Mailing address

Mailing address

Phone number

DEFAULT

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

DATED on (month/day/year) _____

Angelina Colonnese
CLERK OF THE COUNTY COURT

By: _____

Deputy Clerk

In the County Court in and for Manatee County, Florida

Case No. _____

Plaintiff(s)

vs

Defendant(s)

MOTION FOR DEFAULT BY COURT

Plaintiff(s) move(s) for entry of a default by the Court against defendant(s) for failure to pay monies into the registry of the Court.

Plaintiff(s)/Attorney for Plaintiff(s) Signature

Plaintiff(s)/ Attorney for Plaintiff(s)

Mailing address

Mailing address

Phone number

DEFAULT

A default is entered in this action against the defendant(s) named in the foregoing motion for failure to pay monies into the registry of the Court.

Dated on (month/day/year) _____

By:

County Judge
Manatee County, Florida

In the County Court in and for Manatee County, Florida

Case No. _____

Plaintiff(s)

vs

Defendant(s)

MOTION FOR HEARING

Plaintiff(s) motions the Court and requests a hearing as defendant(s) has/have paid monies into the registry of the Court.

Plaintiff(s)/Attorney for Plaintiff(s) Signature

Plaintiff(s)/ Attorney for Plaintiff(s)

Mailing address

Mailing address

Phone number

Certificate of Service

I hereby certify that a true copy of the foregoing motion for hearing has been mailed, posted or hand delivered to the parties named above on the date (month/day/year) _____.

By: _____

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case No. _____

(Landlord's name and mailing address)

vs

(Tenant's name(s) and mailing address)

NOTICE OF HEARING

To: _____

(Tenant's name(s) and mailing address)

YOU ARE HEREBY NOTIFIED that a final hearing will be held on _____
(month/day/year) at _____ a.m./p.m., in the Judges Chambers or Hearing Room _____ located in
The Manatee County Judicial Center, At 1051 Manatee Ave West, Bradenton FL 34205

DATED on (month/day/year) _____

By: _____
Landlord

Certificate of Service

I hereby certify that a true copy of the foregoing notice of hearing has been mailed, posted or hand delivered to the parties named above on the date (month/day/year) _____.

By: _____

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Manatee County Jury Office, P.O. Box 25400, Bradenton, Florida 34206, (941)741-4062, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case No. _____

Plaintiff(s) Name

Address

City, State, Zip Code

Telephone Number

vs

Defendant(s) Name

Address

City, State, Zip Code

Telephone Number

AFFIDAVIT OF COSTS

Personally appeared before the undersigned authority, authorized to take acknowledgements and administer oaths, _____, who after being duly sworn, deposes and says:

1. That he/she has personal knowledge of the facts hereinafter stated.
2. Plaintiff has expended the following costs to file this case:
 - \$ _____ for filing of complaint;
 - \$ _____ for service of process by Sheriff/process server (Summons)
 - \$ _____ for service of Writ of Possession by Sheriff
 - \$ _____ total amount now due and owing.

Signature of Plaintiff(s)/Landlord

STATE OF FLORIDA:
COUNTY OF MANATEE:

Sworn to and subscribed before me this day (month/day/year) _____

by _____, who is/are personally known to me or has/have produced _____ as identification.

Notary Public Signature

OR Angelina Colonnese
Clerk of the County Court

Notary Name Typed, Printed or Stamped

By: _____

My Commission expires: _____

In the County Court in and for Manatee County, Florida

Case No. _____

Plaintiff(s) Name

Address

City, State, Zip Code

Telephone Number

vs

Defendant(s) Name

Address

City, State, Zip Code

FINAL JUDGMENT FOR POSSESSION

THIS CAUSE came to be heard before me upon Plaintiff 's Complaint for Removal of Tenant, and the Court being fully advised,

ORDERED AND ADJUDGED:

1) That Final Judgment be and the same is hereby entered in favor of the Plaintiff (s) and against the Defendant(s) for possession of the premises located at and known as: _____, Manatee County, Florida, for which let Writ of Possession issue forthwith.

2) That Plaintiff(s) recover from said Defendant(s) costs herein taxed in the sum of \$ _____, for which let Execution issue.

ORDERED in Chambers at Bradenton, Manatee County, Florida on this date (month/day/year) _____.

County Judge

Certificate of Service

I do hereby certify that a true copy of the foregoing Final Judgment has been furnished to all parties by mail/hand delivery on the date (month/day/year) _____.

Deputy Clerk or Judicial Assistant

In the County Court in and for Manatee County, Florida

Case No. _____

Landlord/Plaintiff

vs

Tenant/Defendant

WRIT OF POSSESSION

THE STATE OF FLORIDA:
TO THE SHERIFF OF MANATEE COUNTY:

YOU ARE COMMANDED to remove all persons from the following described property in Manatee County, Florida; and to put Plaintiff(s) in possession of it:

(street address of property)

after 24 hours' notice conspicuously posted on the premises.

DATED on (month/day/year) _____

Angelina Colonnese
As Clerk of the County Court
Manatee County, Florida

By:

Deputy Clerk

Contact Person:

(Name)

(Address)

(Phone)

In the County Court in and for Manatee County, Florida

Case No. _____

Landlord/Plaintiff

vs

Tenant/Defendant

WRIT OF POSSESSION

THE STATE OF FLORIDA:
TO THE SHERIFF OF MANATEE COUNTY:

YOU ARE COMMANDED to remove all persons from the following described property in Manatee County, Florida; and to put Plaintiff(s) in possession of it:

(street address of property)

after 24 hours' notice conspicuously posted on the premises.

DATED on (month/day/year) _____.

Angelina Colonnese
As Clerk of the County Court
Manatee County, Florida

By:

Deputy Clerk

Contact Person: _____
(Name)

(Address)

(Phone)

IN THE COUNTY COURT IN AND FOR MANATEE COUNTY, FLORIDA

Case No. _____

Plaintiff

vs.

Defendant

NOTICE OF DISMISSAL

No Property having been seized or otherwise put in the custody of the Court, the Plaintiff(s) or Defendant(s) hereby dismiss the claim or counter-claim herein with/without prejudice (Circle one).

Signature of Plaintiff

Dated on (month/day/year)

Certificate of Service

I HEREBY CERTIFY that a copy hereof has been furnished to the above named party at the address listed above by mail or hand delivery on this date (month/day/year)_____.

Signature of plaintiff