

REPAIR AND REMEDY

The Rules for Civil Procedure have changed and fees have increased. The cost to file a Civil case is \$54.00 (filing fee) + \$100.00 (service fee) per person to be served. Please see fee schedule. **We accept check, money order or cash.** **If paying cash, please bring exact amount.**

NOTICE

Please read over your paperwork carefully.

If you fail to provide ALL of the information required, your case may be dismissed

- The Judge and Clerks are prohibited from providing legal advice or assisting in filling out forms.
- A copy of the New Rules for Civil Procedure and the Texas Property Code are provided in our office for your review. You may also access these documents on our website.
- You must provide the court with the original, a copy for your records, and 1 copy per defendant (if 2 defendants will be served, then you must provide a copy for each of them) of all documents filed with the court.
- You cannot discuss your case with the Judge outside of the hearing.
- We accept filings Monday thru Friday 8:00 am to 5:00 pm
- We do NOT serve Out of County Citations. Please notify the clerk so you are not charged for service on an Out of County Citation.
- If your suit is settled out of court and you no longer wish to come to your hearing, please file it in writing with the Court. You may use the form for Non Suit located on our website if you wish.

	<u>Court Fees</u>		<u>Constable Fees</u>
Filing of Petition	\$54.00	Service of Citation	\$200.00 /per Defendant Served

Cause No. _____

Tenant: _____

In the Justice Court
Precinct _____ Place _____
_____ County, Texas

V.

Landlord: _____

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1. **COMPLAINT:** Tenant files this petition against the above-named Lanlord pursuant to Section 92.0563 of the Texas Property Code because there is a condition in Tenant’s residential rental property that would materially affect the health or safety of an ordinary tenant.
Information Regarding Residential Rental Property:

Street Address Unit No. (if any) City County State Zip

Landlord’s Contact Information (to the extent known):

Business Street Address Unit No. (if any) City County State Zip Telephone Number

2. **SERVICE OF CITATION:** Check the box next to each statement that is true.

- Tenant received in writing Landlord’s name and business street address.
- Tenant received in writing the name and business street address of Landlord’s management company.
- The name of the Landlord’s management company is _____. To Tenant’s knowledge, this ths the management company’s information

Business Street Address Unit No. (if any) City County State Zip Telephone Number

- The name pf Lanlord’s on-premise manager is _____. To Tenant’s knowledge, this is the on premise manager’s contact information

Business Street Address Unit No. (if any) City County State Zip Telephone Number

3. **LEASE AND NOTICE:** Check the box next to each statement that is true.

- The lease is oral. The lease is in writing. The lease requires the notice to repair or remedy a condition in writing.
- Tenant gave written notice to repair or remedy the condition on _____. The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on _____.
- Tenant gave oral notice to repair or remedy the condition on _____.
- Name of person(s) to whom notice was given: _____
- Place where notice was given: _____

4. **RENT:** At the time Tenant gave notice to repair or remedy the condition, Tenant was: current (no rent owed), not current but Tenant offered to pay the rent owed and Landlord did not accept it, or not current and Tenant did not offer to pay the rent owed. Tenant’s rent is due on the _____ day of the month week _____ (specify any other rent-payment period). The rent is \$ _____ per month week _____ (specify any other rent-payment period). Tenant’s rent (check one): is not subsidized by the government is subsidized by the government as follows, if known: \$ _____ paid by the government, and \$ _____ paid by Tenant.

5. **PROPERTY CONDITION:** Describe the property condition materially affecting the physical health or safety of an ordinary tenant that Tenant seeks to have repaired or remedied: _____

6. **RELIEF REQUESTED:** Tenant requests the following relief: a court order to repair or remedy the condition, a court order reducing Tenant’s rent (in the amount of \$ _____ to begin on _____), actual damages in the amount of \$ _____, a civil penalty of one month’s rent plus \$500, attorney’s fess, and court costs. Tenant states that the total relief requested does not exceed \$10,000, excluding interest and court costs but including attorney’s fees.

Tenant Signature: _____

Date: _____

Street address Unit No. (if any)

Phone Number

City State Zip