

CAUSE NO. _____

PLAINTIFF

VS.

RESPONDENT

§ IN THE JUSTICE COURT
§
§
§ PRECINCT NO. THREE
§
§
§ MONTGOMERY COUNTY, TEXAS

PETITION: REPAIR AND REMEDY CASE

COMPLAINT: Plaintiff files this petition against Respondent pursuant to Rule 509 and Texas Property Code § 92.0563, because there is a condition in Plaintiff's residential rental property that affects the health or safety of an ordinary tenant.

Information Regarding Residential Rental Property:

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

Respondent's Contact Information (to the extent known):

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

Phone Number: _____ Email address: _____

SERVICE OF CITATION: Plaintiff requests service of the citation on the Respondent and, if required, alternative service pursuant to Rule 509.4.

The following are true (check the box next to each statement that is true):

Plaintiff received in writing Respondent's name and business street address; Plaintiff received in writing the name and business street address of Respondent's management company.

Management Company's Contact Information:

Name: _____

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

Phone Number: _____ Email address: _____

On-Premises Manager's Contact Information:

Name: _____

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

Phone Number: _____ Email address: _____

Rent Collector's Contact Information:

Name: _____

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

Phone Number: _____ Email address: _____

PROPERTY CONDITION: The property condition materially affecting the physical health or safety of an ordinary tenant that Plaintiff seeks to have repaired or remedied is:

LEASE AND NOTICE: The following are true (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 and remedy a condition to be in writing.
- Plaintiff gave written notice to repair or remedy the condition on _____, 20__.
- Plaintiff gave a subsequent written notice to repair or remedy the condition, which was given on _____, 20__.
- Plaintiff gave written notice to repair or remedy the condition by certified mail, return, receipt requested, or registered mail or by another form of mail that allows tracking of delivery from the USPS or a private delivery service on _____, 20__.
- Plaintiff gave oral notice to repair or remedy the condition on _____, 20__.
Name of person(s) to whom notice was given: _____.
Place where notice was given: _____.

RENT: At the time Plaintiff gave notice to repair or remedy the condition, Plaintiff's rent was:

- current (no rent owed); not current but Plaintiff offered to pay the rent and Respondent did not accept it; or not current and Plaintiff did not offer to pay the rent owed.

Plaintiff's rent of \$ _____ is due on the ____ day of the month week _____

Plaintiff's rent: is not subsidized by the government is subsidized by the government as follows, if known: \$ _____ paid by the government, and \$ _____ paid by Plaintiff.

RELIEF REQUESTED: Plaintiff requests the following relief (*check all that apply*):

- a court order to repair or remedy the condition;
- a court order reducing Plaintiff's rent in the amount of \$ _____ to begin on _____, 20__;
- actual damages in the amount of \$ _____;
- a civil penalty of one month's rent plus \$500;
- attorney's fees; and
- court costs.

JURISDICTION: Plaintiff states that the total relief requested does not exceed \$10,000, excluding interest and court costs but including attorney's fees.

JURY TRIAL:

- I request a jury trial. (*The fee is \$22 and must be paid at least 14 days before trial.*)
- I do not request a jury at this time.

SERVICE BY EMAIL: If you choose to get documents by email, you must have an email account where you can receive, open, and view large attachments, and it is important that you check this email account every day. I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: _____

Respectfully submitted this _____ day of _____, 20__.

Plaintiff's Printed Name

Signature of Plaintiff/Plaintiff's Attorney

Mailing Address of Plaintiff/Plaintiff's Attorney

Email address of Plaintiff/Plaintiff's Attorney

City State Zip

Phone Number of Plaintiff/Plaintiff's Attorney

Attorney Bar Number, if applicable

SWORN TO AND SUBSCRIBED before me on _____, 20__.

CLERK OF THE JUSTICE COURT OR NOTARY