

FORM 5- COMPLAINT FOR LANDLORD TO EVICT TENANTS

**FORM 5A – COMPLAINT FOR LANDLORD TO EVICT
TENANTS FOR FAILURE TO PAY RENT AND TO RECOVER PAST
DUE RENT**

Form 5 should be used if only eviction of the Tenant is sought.

Form 5A should be used to evict the Tenant and recover damages (past due rent).

**FORM NOTES ARE FOR INFORMATIONAL PURPOSE ONLY AND MAY
NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU
SHOULD CONSULT AN ATTORNEY AS NEEDED.**

IN THE COUNTY COURT, IN AND FOR SUMTER COUNTY, FLORIDA

Plaintiff/Landlord

vs.

Case Number _____

Defendant/Tenant

COMPLAINT FOR EVICTION

The Plaintiff, _____ sues the Defendant(s) _____ and alleges:
(insert name of Landlord) (insert name of Tenant)

1. This is an action to evict a tenant from real property in Sumter County, Florida.

2. Plaintiff owns the following described real property in the County:

(Insert legal description or complete address of the property including, if applicable, unit number)

3. Defendant has possession of the property under a (oral/written) agreement to pay rent of \$ _____ (insert rental amount) payable _____ (insert terms 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)

5. Plaintiff served Defendant with a notice on _____, 20____, to pay rent or deliver possession, but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B".

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

Signature

Name of Landlord/Property Manager
(circle one)

Address

City, State, Zip Code

Phone Number

SWORN TO AND SUBSCRIBED before me, on _____, 20____, by
_____ personally known to me/who
presented _____ as proof of identification.

Notary Public, State of Florida

My Commission Expires _____

OR Gloria R Hayward
Clerk of the Circuit Court

By: _____
Deputy Clerk

Approved for use under 10.2.1(a)
the Rules Regulating The Florida Bar

The Florida Bar

This form was completed with the assistance of:

Name:

Address:

Telephone Number:

IN THE COUNTY COURT, IN AND FOR SUMTER COUNTY, FLORIDA

Plaintiff/Landlord

vs.

Case Number _____

Defendant/Tenant

_____ /

COMPLAINT FOR EVICTION AND DAMAGES

Plaintiff, _____, sues Defendant, _____ and alleges:
(insert name of Landlord) (insert name of Tenant)

**COUNT I
Tenant Eviction**

1. This is an action to evict the Tenant from real property in Sumter County, Florida.

2. Plaintiff owns the following described real property in the County:

(insert legal or street description of the property including, if applicable, unit number)

3. Defendant has possession of the property under a (oral/written) agreement to pay rent of \$ _____ (insert rental amount) payable _____ (insert terms 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)

5. Plaintiff served Defendant with a notice on _____, 20_____, to pay the rent or deliver possession but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

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

COUNT II
Damages

6. This is an action for damages that do not exceed \$15,000.
7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.
8. Defendant owes Plaintiff \$_____ that is due with interest since _____, 20____, (insert date of last rental payment tenant failed to make) plus any additional rent that may accrue to the time of the hearing for damages.
9. The Plaintiff also alleges physical damages_____
- _____
- _____
- in the amount of \$_____.

WHEREFORE, Plaintiff demands judgment for damages against Defendant.

Signature of Plaintiff/Landlord

Address_____

City, State, Zip Code_____

Telephone Number_____

SWORN TO AND SUBSCRIBED before me, on_____,20____, by _____ personally known to me/who presented_____ as proof of identification.

Notary Public, State of Florida

My Commission Expires_____

OR Gloria R Hayward
Clerk of the Circuit Court
By:_____
Deputy Clerk

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