

Lora C. Bell
Clerk of Court, Washington County
Post Office Box 647
Chipley, FL 32428
(850) 638-6285

LANDLORD/TENANT PACKET

\$185.00 Filing Fee

\$10.00 Summons (Each Summons & Tenant)

\$40.00 Sheriff Fee (Must be separate check)

\$6.00 For copies (Count I One Tenant)

\$12.00 For copies (Count II One Tenant)

24 Hour Writ of Possession

\$85.00 Filing Fee

\$90.00 Sheriff Fee (Must be separate check)

\$ 8.00 For copies (One Tenant)

Notarization Fee: \$10.00

Copy Fee: \$1.00 per copy

NOTICE: Information or forms provided by the Clerk of Court should be considered as basic information only and may not be applicable to every situation. The information is not intended to be used as legal advice but as basic and general information only. It is a brief statement and does not explain all of your options and/or rights. Specific guidance as to how to proceed with filing a lawsuit or answering a lawsuit and questions about your particular situation should be directed to an attorney.

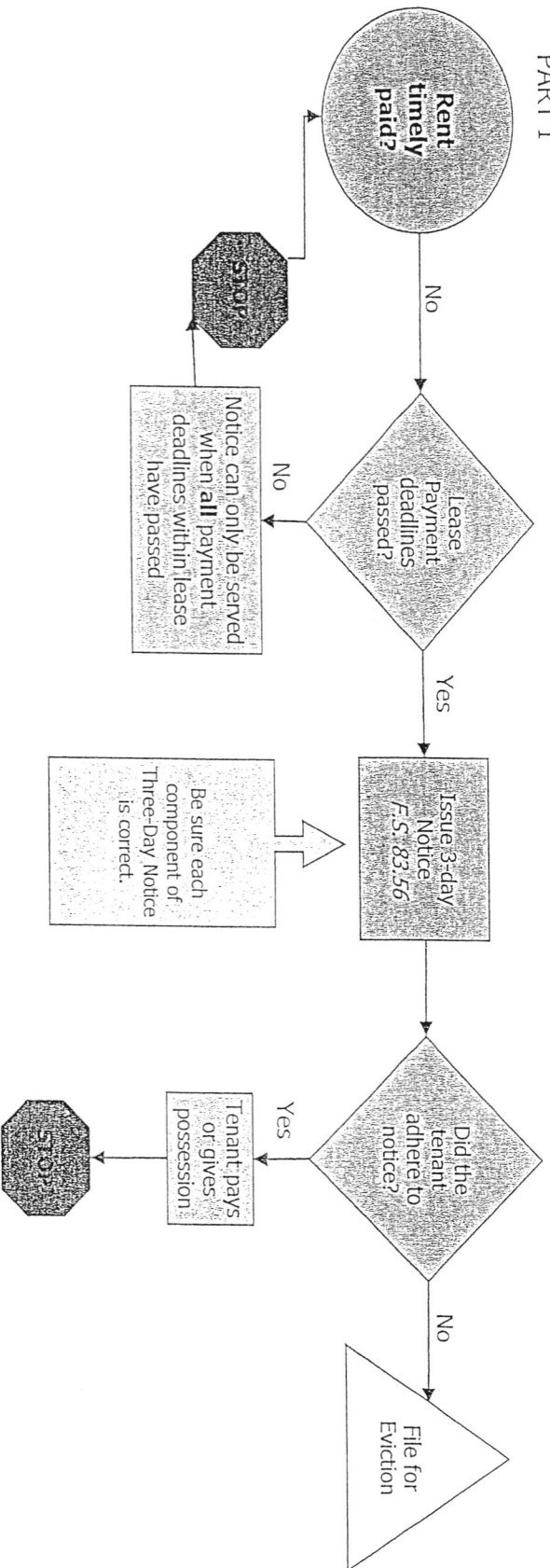
All landlords and tenants should read and become familiar with Chapter 83, Florida Statutes. Please visit www.flsenate.gov/laws/statutes

The attached forms are designed for your use in the event of common landlord/tenant disputes. They should be used only for residential leases. If you have a commercial, agricultural or personal lease you should consult with an attorney.

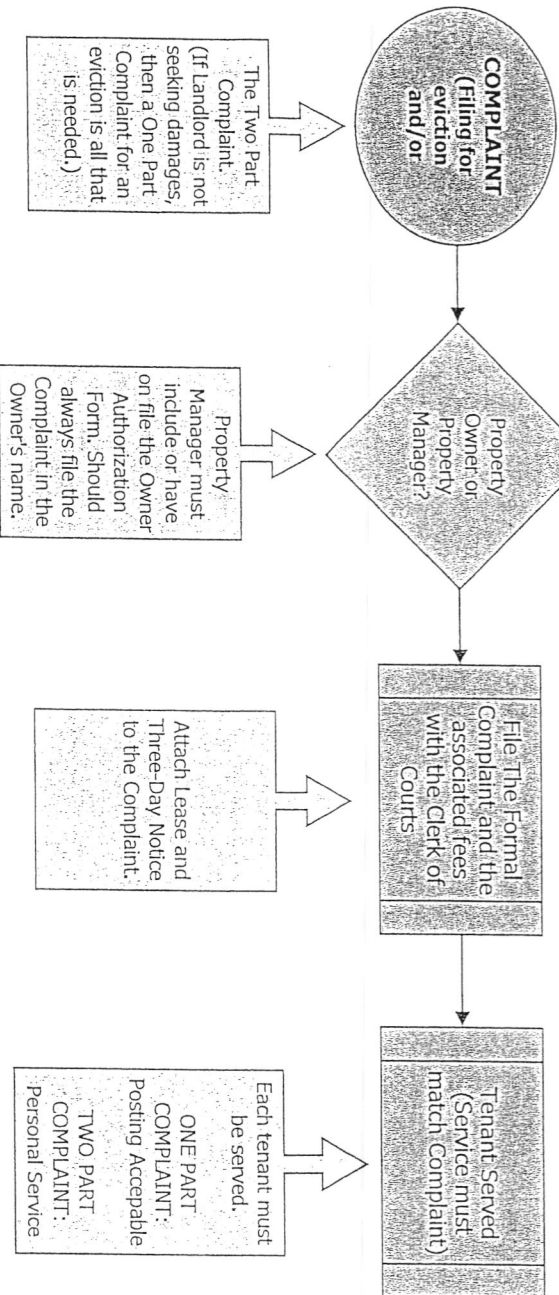
PLEASE UNDERSTAND DEPUTY CLERK'S CANNOT GIVE LEGAL ADVICE

Eviction Process Flowchart: Part I of Complaint

PART I



PART II



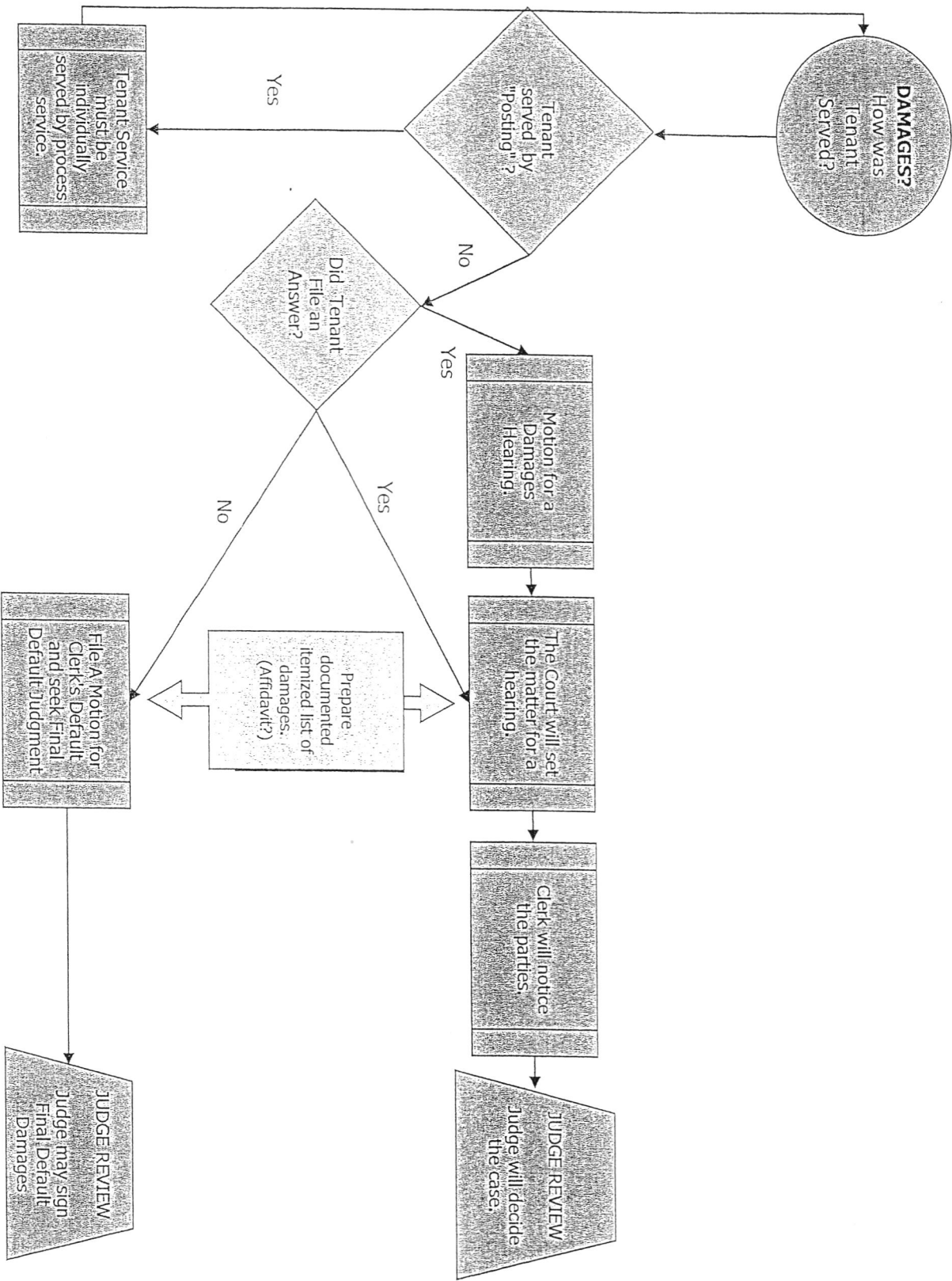
The Two-Part Complaint. (If Landlord is not seeking damages, then a One Part Complaint for an eviction is all that is needed.)

Property Manager must include or have on file the Owner Authorization Form. Should always file the Complaint in the Owner's name.

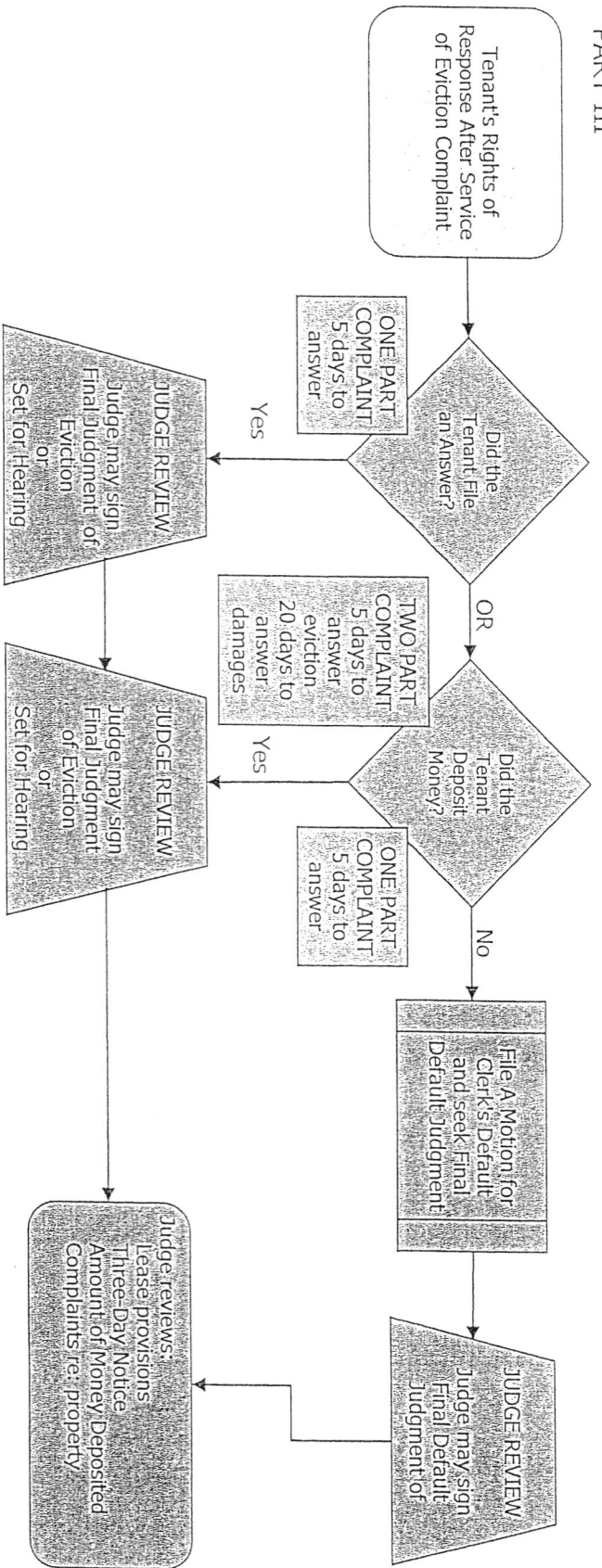
Attach Lease and Three-Day Notice to the Complaint.

Each tenant must be served.
 ONE PART COMPLAINT: Posting Acceptable
 TWO PART COMPLAINT: Personal Service

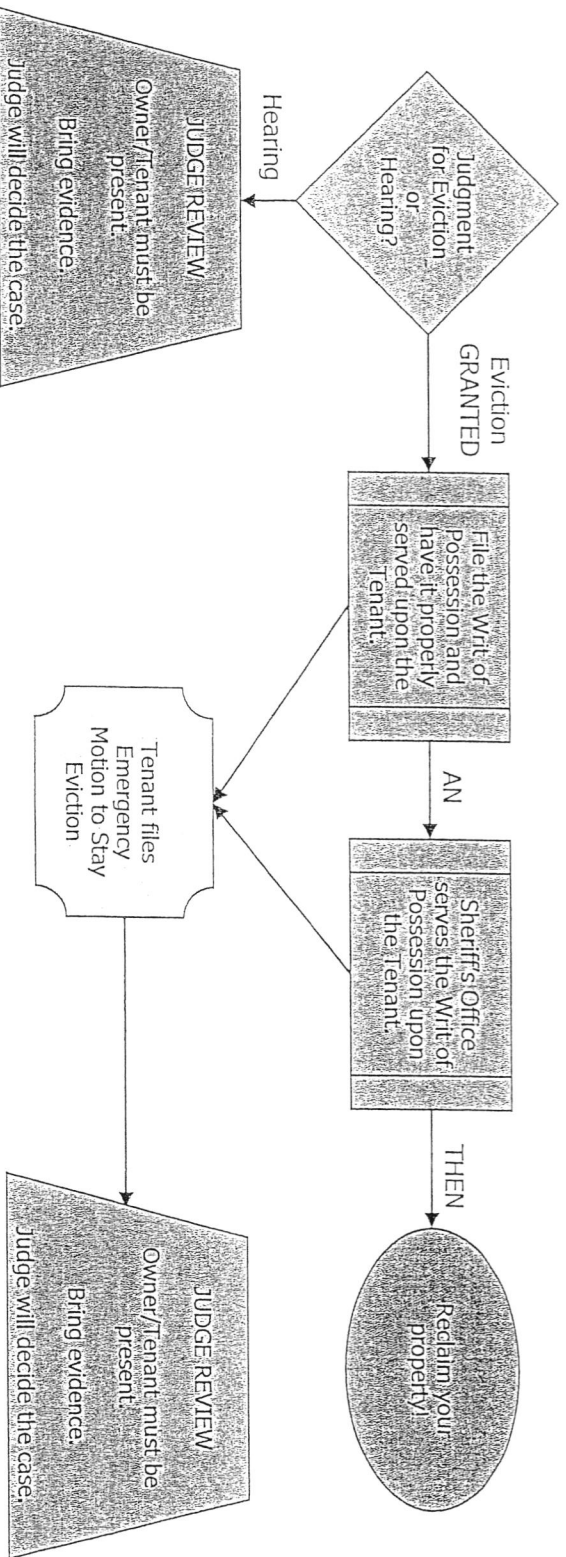
Eviction Process Flowchart: Part II of Complaint

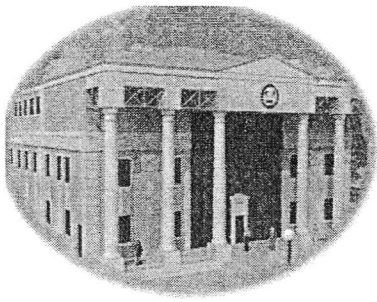


PART III



PART IV





Lora C. Bell
Clerk of the Circuit Court
Washington County, Florida
Fourteenth Judicial Circuit

Office Location:
1331 South Boulevard
Chipley, Florida 32428

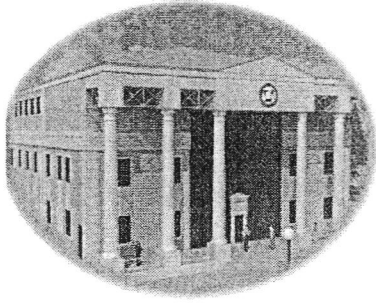
Mailing Address:
Post Office Box 647
Chipley, Florida 32428-0647

Telephone Number: 850-638-6285

Fax Number: 850-638-6288

STEPS FOR FILING AN EVICTION CASE:

1. Read and become familiar with Chapter 83 of the Florida Statute
2. Give written notice to the Tenant to vacate (select from Forms 1-4) using the notice appropriate for your filing. ****IF the NOTICE is defective your case is subject to dismissal. If your case is dismissed, your filing fees will NOT be refunded****
3. Choose a Complaint, complete it and file (select from Forms 5-6). The Complaint must be notarized. It can be notarized at the Clerk's office for a **\$10.00 fee.**
4. File your Complaint with the Clerk's Office. The filing fee is **\$185.00 PLUS \$10.00** per Tenant for issuing (**\$ 20.00 per tenant if you filled out Count II of Form 5**) There is a copy fee of **\$1.00 per copy.** This payment needs to be made out to Lora C. Bell, Clerk of Court.
5. Service of the Complaint. The Summons (Form 7 or Form 8 if you filled out Count II) will be issued by the Clerk and will be served by the Washington County Sheriff's Department. **The Sheriff's Fee is \$40.00 per Tenant \$80.00 if you filled out Count II**—this payment is separate, if paying by check or money order, make it out to the Sheriff's Department.
6. Tenant has 5 days (not including Saturday, Sunday or legal holidays) to answer the Summons. Tenant has 20 days to answer the Summons for Count II.
7. On the 6th day you may enter a Motion for Default (Form 9). Also, fill out the Default (Form 10). Only if no answer to the eviction was filed.
8. Fill out Motion for Tenant Removal (Form 11) and Non-Military Affidavit (Form 12). At the time of filing, there is an **\$85.00 fee, \$90.00 to Sheriff for service of the 24 Hour Writ of Possession and \$1.00 per copy.**
9. The Tenant will have 24 hours to vacate once they are served with Order for Tenant Removal and Writ of Possession
10. Motion for Dismissal (Form 13) should be used if Tenant vacates before the 5 days or if you and the Tenant reach an agreement.



Lora C. Bell
Clerk of the Circuit Court
Washington County, Florida
Fourteenth Judicial Circuit

Office Location:
1331 South Boulevard
Chipley, Florida 32428

Mailing Address:
Post Office Box 647
Chipley, Florida 32428-0647

Telephone Number: 850-638-6285

Fax Number: 850-638-6288

PACKET CONTENTS:

Form 1: 3-Day Notice-Termination for Failure to Pay Rent:

Termination for failure to pay rent; Florida Statute 83.56 (3)

The 3-Day Notice may be delivered by mail (add 5 days if mailed), personally delivered to the Tenant, or posted on the premises if the notice cannot be delivered to Tenant.

The Notice must state the amount of rent owed and date the Notice was given to the Tenant.

The three (3) day time period must run, **excluding** the day of service, Saturday, Sunday and legal holidays, **before** a suit to evict the Tenant or recover past due rent is filed.

Form 2: 7-Day Notice-Noncompliance for Matters Other Than Failure to Pay Rent:

Termination for Noncompliance Other than failure to pay rent; Florida Statute 83.56 (2)(a).

The 7-Day Notice is for an Agreement violation. Lease violations which entitle the landlord to send this may include: having unauthorized pets, unauthorized guest or vehicles; parking in unauthorized areas; failing to keep premises clean or other activities prohibited by Agreement. Tenants must be given notice of violation and a seven (7) day opportunity to cure the violation.

The delivery of this written notice may be by mailing or delivery of true copy to the premises or if the Tenant is absent from premises, by leaving a copy at premises.

The written notice must be delivered and the seven (7) day time period must run prior to any termination of the Agreement or any lawsuit for eviction is filed.

Form 3: 7-Day Notice-Noncompliance with No Opportunity to Cure:

Noncompliance with No Opportunity to Cure; Florida Statute 83.56(2)(a)

This 7-Day Notice is a notice of Noncompliance where the Tenant has violated Florida Statutes and is of such a nature that the Tenant should not be given an opportunity to cure (fix) the problem or if the noncompliance constitutes a subsequent or continuing noncompliance with 12 months of a written warning by the landlord of the a similar violation.

The written notice must be delivered and the seven (7) day time period must run prior to any termination or eviction lawsuit being filed.

Form 4: 15-Day Notice to Vacate Termination of Tenancy:

Termination of Agreement/Lease

The 15-Day Notice is used if the landlord needs possession of this property and it is not for any of the previous reasons. This form would be used giving the Tenant a fifteen (15) day written

notice to vacate the premises. The notice would state that the rental agreement is terminated and no further rent would be accepted. This notice should be given fifteen (15) days prior to rent being due. **IF** the Tenant does not vacate, the landlord would file his/her complaint for eviction. If a written agreement has been entered into, this section does not apply.

Form 5: Complaint-For Tenant Eviction and/or Past Due Rent:

Complaint Count I is for eviction only;

Count II needs to be filled out if you are wanting to recover past due rent.

If you are recovering past due rent you will need to fill out both Count I and Count II. If only seeking an eviction then only fill out Count I.

This form needs to be notarized; we can notarize at Clerk's office for an \$10.00 fee

Form 6: Complaint-For Tenant Eviction Other Than Delinquent Rent:

Complaint For Tenant Eviction Other Than Delinquent Rent, this form is used for violation of agreements or when using Form 4, the 15-Day Notice.

This form needs to be notarized; we can notarized at Clerk's office for an \$10.00 fee

Form 7: Eviction Summons-Residential:

Summons (5 day)

If you only filled out Count I this is the form you need to fill out and bring and file with complaint. You need to fill out this form for **EACH** Tenant.

Form 8: Summons-Actions for Back Rent and Damages:

Summons (20 Day)

If you filled out Count I and Count II of the Complaint you will need to fill out this form and file it with your Complaint (Form 5) and Summons (Form 7) for **EACH** Tenant.

Form 9: Motion For Default:

On the 6th day, if no answer was filed in the eviction, you will file this form with the Clerk.

Form 10: Default:

Fill out this form indicating all that apply; file this with Form 9

Form 11: Motion for Tenant Removal:

Fill out this form and file with forms 9 and 10

Form 12: Non-Military Affidavit:

This form must be filled out and brought in with Forms 9, 10, and 11

Form 13: Motion for Dismissal:

If at any time after the case has been filed, the Tenant vacates the premises or landlord and Tenant reach an agreement, landlord must file this form with the Clerk, at that time Clerk will send to Judge for an Order to Dismiss the case.

NOTICES
FOR
EVICTION

3 DAY NOTICE
TERMINATION FOR FAILURE TO PAY RENT

DATE: _____

TO: _____

ADDRESS: _____

YOU ARE HEREBY NOTIFIED that you are indebted to me in the sum of
\$_____ dollars (Insert amount owed). For the rent and use of the premises
located at:

Washington County, Florida, now occupied by you and that I demand payment of the rent or
possession of the premises within **THREE (3) days** of this notice (excluding Saturday,
Sunday and legal holidays) from the date of delivery of this notice, to wit: on or before
_____ day of _____,

20____. (Insert date which three days from delivery of this notice, excluding Saturday,
Sunday and legal holidays).

SIGNATURE

NAME OF LANDLORD/PROPERTY MANAGER

STREET ADDRESS

CITY, STATE, ZIPCODE

PHONE NUMBER

I HEREBY CERTIFY THAT A COPY OF THIS NOTICE HAS BEEN SERVED TO THE ABOVE NAMED TENANT(S)
ON _____ DAY OF _____, 20____. BY HAND, MAILING OR POSTING. **(CIRCLE ONE)**

SIGNATURE OF LANDLORD OR PROPERTY MANAGER

7 DAY NOTICE

NOTICE OF NONCOMPLIANCE FOR MATTERS OTHER THAN FAILURE TO PAY RENT

DATE: _____

TO: _____ Tenant(s)

ADDRESS: _____
Washington County, Florida

YOU ARE HEREBY NOTIFIED that you are in noncompliance of your rental agreement,
(state noncompliance with no opportunity to cure)

Demand is hereby made that you must remedy the noncompliance within seven (7) days of receipt of this notice or your rental agreement shall be deemed terminated and you shall vacate the premises upon such termination. If this same conduct or similar conduct is repeated within twelve (12) months, your tenancy is subject to termination without you being given the opportunity to cure noncompliance, default or violation.

SIGNATURE

NAME OF LANDLORD/PROPERTY MANAGER

STREET ADDRESS

CITY, STATE, ZIPCODE

PHONE NUMBER

I HEREBY CERTIFY THAT A COPY OF THIS NOTICE HAS BEEN SERVED TO THE ABOVE NAMED TENANT(S)
ON _____ DAY OF _____, 20_____. BY HAND, MAILING OR POSTING. **(CIRCLE ONE)**

SIGNATURE OF LANDLORD OR PROPERTY MANAGER

7 DAY NOTICE

NOTICE OF NONCOMPLIANCE WITH NO OPPORTUNITY TO CURE

DATE: _____

TO: _____ Tenant(s)

ADDRESS: _____
Washington County, Florida

YOU ARE HEREBY NOTIFIED that your rental agreement is terminated effective immediately, (state noncompliance with no opportunity to cure)

We demand possession of said premises within **seven (7) days** (excluding Saturday, Sunday and legal holidays) from date of delivery of this notice. To wit: on or before

Date: _____.

SIGNATURE

NAME OF LANDLORD/PROPERTY MANAGER

STREET ADDRESS

CITY, STATE, ZIPCODE

PHONE NUMBER

I HEREBY CERTIFY THAT A COPY OF THIS NOTICE HAS BEEN SERVED TO THE ABOVE NAMED TENANT(S) ON _____ DAY OF _____, 20_____. BY HAND, MAILING OR POSTING. **(CIRCLE ONE)**

SIGNATURE OF LANDLORD OR PROPERTY MANAGER

15 DAY NOTICE
TO VACATE TERMINATION OF TENANCY

DATE: _____

TO: _____ Tenant(s)

ADDRESS: _____
Washington County, Florida

YOU ARE HEREBY NOTIFIED that the rental agreement of the above named premises is hereby terminated. You are to vacate the premises within **fifteen (15) days** for the reason(s) listed:

Date Served: _____

SIGNATURE

NAME OF LANDLORD/PROPERTY MANAGER

STREET ADDRESS

CITY, STATE, ZIPCODE

PHONE NUMBER

I HEREBY CERTIFY THAT A COPY OF THIS NOTICE HAS BEEN SERVED TO THE ABOVE NAMED TENANT(S) ON _____ DAY OF _____, 20____. BY HAND, MAILING OR POSTING. **(CIRCLE ONE)**

SIGNATURE OF LANDLORD OR PROPERTY MANAGER

COMPLAINTS
FOR
EVICTION

**IN THE COUNTY COURT,
IN AND FOR WASHINGTON COUNTY, FLORIDA**

County Civil Division
Case number:

Plaintiff(s) Owner/Landlord

vs

Defendant(s) Tenants(s)

**COMPLAINT
(FOR TENANT EVICTION AND/OR PAST-DUE RENT)**

Plaintiff(s) _____, as _____, sues
(either an individual or corporation or general partner)

Defendant(s) _____, and alleges:

COUNT I

1. This is an action to evict a tenant from real property in Washington County, Florida.
2. Plaintiff(s) _____ the following described property in said county:
(Owns or is landlord for)

Address (City, State & Zip)
3. Defendant(s) has/have possession of said property under a/an _____ agreement to pay rent of \$ _____ and payable _____ (weekly or monthly)
4. Defendant(s) failed to pay rent due ____ day of _____, 20 _____.
5. Plaintiff(s) served Defendant(s) with a written notice on ____ day of _____, 20 _____, to pay the rent or vacate the property, Defendant refused to do either. A copy of the written notice is attached hereto and made part of the Complaint.
6. The Plaintiff(s) has/have not yet received any payment since the notice was delivered. WHEREFORE, Plaintiff (s) demand judgement for possession of property against Defendant(s), cost and attorney fees (if applicable).

COUNT II

7. This is an action for past due rent.
8. The Defendant(s) owe the Plaintiff(s) \$ _____ for the past due rent as of the date of the filing of this Complaint. WHEREFORE, Plaintiff(s) demand judgment for the past due rent, including rents accruing since the filing of this action, cost and attorney fees (if applicable).

Plaintiff

Address

Phone Number

STATE OF FLORIDA, COUNTY OF WASHINGTON:

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by

_____ who is personally known to me or who produced

_____ as identification.

LORA C. BELL
Clerk of the Court,
Washington County, FL

Notary Public

Deputy Clerk

Typed or Printed Name

**IN THE COUNTY COURT,
IN AND FOR WASHINGTON COUNTY, FLORIDA**

County Civil Division
Case number:

Plaintiff(s) Owner/Landlord

vs

Defendant(s) Tenants(s)

COMPLAINT

For Tenant Eviction For Other Than Delinquent Rent

Plaintiff(s) _____, as _____, sues
(either an individual or corporation or general partner)

Defendant(s) _____, and alleges:

1. This is an action to evict a tenant from real property in Washington County, Florida.
2. Plaintiff(s) _____ the following described property in said county:
(Owns or is landlord for)

(Address City, State & Zip)

3. Defendant(s) has/have possession of said property under a/an _____ agreement
(If written, a copy must be attached.) (Written or Oral)

4. Plaintiff(s) served Defendant(s) with a written notice on ____ day of _____,
5. The notice required Defendant(s) to _____
(Vacate or correct the deficiency)

6. The Defendant(s) has/have failed to _____
(Vacate or correct the deficiency)

WHEREFORE, Plaintiff(s) demand(s) judgment for possession of the property against Defendant(s), costs, and attorney fees (if applicable).

Plaintiff

Address

Phone Number

STATE OF FLORIDA, COUNTY OF WASHINGTON:

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by _____ who is personally known to me or who produced _____ as identification.

LORA C. BELL
As Clerk of the Court,
Washington County, FL

Notary Public

Deputy Clerk

Typed or Printed Name

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

Case No. _____

Plaintiff (s) Landlord/owner

-Vs-

Defendant(s) Tenant(s)

EVICTION SUMMONS-RESIDENTIAL

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:

TENANT(S) _____

ADDRESS _____

PLEASE READ CAREFULLY

You are being sued by _____(PLAINTIFF) to require you to move out of the place where you are living for the reasons given on 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 five (5) days (not including Saturday, Sunday or any legal holiday observed by the Clerk of Court).After the date these papers were given to you, or 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 Court Clerk

Washington County Clerk of Court
1331 South Boulevard, Chipley, FL 32428

2. Mail or take a copy of the written reason(s) to:

Landlord

Address

- 3. Give the Court Clerk the rent that is due as set forth in the landlord's complaint or as determined by the Court. **YOU MAY PAY THE CLERK THE RENT EACH TIME IT BECOMES DUE UNTIL THE LAWSUIT IS OVER.** Whether you win or lose the lawsuit, the Judge may pay this Rent to the Landlord
- 4. If you and the Landlord do not agree on the amount of rent owed, give the Court Clerk the money you say you owe. You must ask the Judge to set a hearing to decide what amount should be given to the Court Clerk.
- 5. A Court registry fee of 3% of the first \$500 and 1 1/2% of the remaining balance of the rent being paid to the Court Clerk, will be collected when the money is posted to the Court Registry pursuant to F.S. 28.24 **MONEY PAID INTO THE COURT REGISTRY MUST BE PAID WITH CASH.**

IF YOU DO NOT DO ALL OF THESE THINGS WITHIN FIVE (5) WORKING DAYS 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

Date: _____

Lora C. Bell
Clerk of the Court
Washington County, Florida

By: _____
Deputy Clerk

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

Case No.

Plaintiff(s) Landlord/owner

-Vs-

Defendant(s) Tenant(s)

SUMMONS-ACTION FOR BACK RENT & DAMAGES

TO: _____, **TENANT FROM:** _____

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached Complaint on Count II with the Clerk of the Court.

EACH DEFENDANT is further required to serve written defense(s) to the demand for Back Rent and all other damages to the premises contained in said complaint upon the above named Plaintiff/Landlord _____

A telephone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the court. There are other legal requirements. You may want to call an attorney.

If you choose to file a written response yourself, at the same time you file your written response to the court, you must also mail to take a copy of your written response to the Plaintiff's named above.

To 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 law suit on the above named Defendant.

Dated on: _____

Lora C. Bell
Clerk of Court
Washington County, FL

BY: _____
Deputy Clerk

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

**CIVIL DIVISION
CASE NO.**

Plaintiff(s) Landlord/owner

VS

**Defendant(s) Tenant(s)
All Other Known Tenants And Any Others In Possession**

MOTION FOR DEFAULT

The Plaintiff/Landlord moves for an entry for Default by the Court against the Tenant for the following reason(s) mark all that apply:

_____ The Tenant has failed to serve a written Answer to the Complaint within five (5) days after service of summons.

_____ The Tenant has failed to pay into the registry of the Court the accrued rent as alleged in the Complaint and has not interposed a defense to the action that payment of rent has been made to the Landlord.

_____ The Tenant has failed to pay the rent which accrued during the pendency of these proceedings when it was due.

WHEREFORE, the Landlord moves for an entry of Default against the Tenant without hearing as provided by law.

Dated this _____ day of _____, 20_____.

Landlord

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

**CIVIL DIVISION
CASE NO.**

Plaintiff(s) Landlord/owner

VS

**Defendant(s) Tenant(s)
All Other Known Tenants And Any Others In Possession**

DEFAULT

A Default is entered in the above action against the Tenant for the following reason(s):

_____ The Tenant has failed to serve a written Answer to the Complaint within five (5) days after service of summons.

_____ The Tenant has failed to pay into the registry of the Court the accrued rent as alleged in the Complaint and has not interposed a defense to the action that payment of rent has been made to the Landlord.

_____ The Tenant has failed to pay the rent which accrued during the pendency of these proceedings when it was due.

Dated this _____ day of _____, 20_____.

Lora C. Bell
Clerk of Court,
Washington County, FL

By: _____
Deputy Clerk

CIVIL DIVISION

CASE NO. 67-

Plaintiff(s)/Landlord

VS

Defendant(s)/Tenant(s)
All Other Known Tenants And Any Others In Possession

MOTION FOR TENANT REMOVAL

The Plaintiff/Landlord moves for an entry for an Order for Tenant Removal, and would show as follows:

1. Service of process was affected on Tenant on _____, 20____, requiring Tenant to Answer the Complaint within five (5) days.
2. Service of process notwithstanding, the Tenant has failed to file or serve any paper in this action in response to the Complaint for possession of the premises and/or has failed to pay into the registry of the court the accrued rent as alleged in the Complaint and has not interposed a defense to the action that payment of rent has been made to the landlord.
3. The time allowed for the Tenant to respond to the Complaint and/or pay into the registry of the Court the accrued rent as alleged in the Complaint has expired, and the Landlord request that the Court enter an Order for Tenant Removal, reserving jurisdiction over this action to enter a subsequent money judgment in Count II for past due rent and court costs.

Dated this _____ day of _____, 20_____.

Landlord

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

CIVIL DIVISION

CASE NO.

Plaintiff(s) Landlord/owner

VS

**Defendant(s) Tenant(s)
All Other Known Tenants And Any Others In Possession**

NON-MILITARY AFFIDAVIT

STATE OF FLORIDA, COUNTY OF WASHINGTON:

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

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

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false stamen includes fines and/or imprisonment. Dated this _____ day of _____, 20____.

Signature of Landlord

Address

Phone Number

**State of Florida
County of Washington**

Sworn and subscribed before me on this _____ day of _____, 20____, by _____, who () is personally known to me or () produced _____, as ID and who took an Oath.

Notary Public or Deputy Clerk

**IN THE COUNTY COURT
IN AND FOR WASHINGTON COUNTY, FLORIDA**

**CIVIL DIVISION
CASE NO.**

Plaintiff(s) Landlord/owner

VS

**Defendant(s) Tenants
ALL OTHER KNOWN TENANTS AND ANY OTHERS IN POSSESSIONS**

MOTION FOR DISMISSAL

The Plaintiff hereby requests the above styled case be dismissed due to:

_____ Tenant has vacated premises no further action needed.

_____ Landlord and Tenant has reached an agreement.

If there is an agreement it must be attached with both Plaintiff and Tenant signatures.

Dated this _____ day of _____, 20_____.

Landlord