

Cause No. _____

Tenant: _____
V.
Landlord: _____

In the Justice Court
Precinct 1
Blanco County, Texas

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1.COMPLAINT: Tenant files this petition against the above-named Landlord 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 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 _____ Phone Number _____

2.SERVICE OF CITATION: Check 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 Landlord's management company is _____. To Tenant's knowledge, this is the management company's contact information:

Business Street Address _____ Unit No. (if any) _____ City _____ County _____ State _____ Zip _____ Phone Number _____
 The name of Landlord'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 _____ Phone Number _____
 The name of Landlord's rent collector serving the residential rental property is _____. To Tenant's knowledge this is the rent collector's contact information:

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

3.LEASE AND NOTICE: Check 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 to be 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 of 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's rent 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 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 fees 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 _____

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

4. CONTACT INFORMATION FOR PERSON COMPLETING CASE INFORMATION SHEET	NAME OF PARTIES IN CASE
<p>Name: _____ Telephone: _____</p> <p>Address: _____ Fax: _____</p> <p>City/State/Zip: _____ State Bar No: _____</p> <p>Email: _____</p> <p>Signature: _____</p>	<p>Plaintiff(s):</p> <p>_____</p> <p>_____</p> <p>Defendant(s):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>[Attach additional page as necessary to list all parties]</p>

5. INDICATE SECTION THAT IDENTIFY THE MOST APPROPRIATE TO THIS CASE (SEE RULE 502)	
<p><input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>
<p><input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>

FORM 127 – SERVICEMEMBER'S CIVIL RELIEF ACT

DOCKET NO. _____

CASE NO. _____

**AFFIDAVIT
50 USC Sec. 520**

Plaintiff being duly sworn on oath deposes* and says that defendant(s) is (are)

(CHECK ONE)

- not in the military
- not on active duty in the military and/or
- not in a foreign country on military service
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

PLAINTIFF

(Select the applicable title under the signature for the jurat below)

Subscribed and sworn to before me no this the _____ day of _____, 20__.

NOTARY / CLERK

Notary Public in and for the State of Texas

Clerk of the Justice Court

SEAL

***Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.**