

REPAIR & REMEDY FILING FEES

\$54.00 Filing Fee

\$100.00 Service Fee per person

Payment **Must** be (2) separate checks or money orders:

Filing Fee make payable to: **BASTROP COUNTY JP #4**

Service Fee make payable to: **BASTROP COUNTY CONSTABLE PCT #4**

BASTROP COUNTY JUSTICE COURT PCT. 4

LARRY A. DUNNE-JUDGE

1125 DILDY DRIVE

ELGIN, TEXAS 78621

512.581.7162 FAX # 512.581.7163



Cause No. _____

Tenant: _____

V. _____

Landlord: _____

In the Justice Court

Precinct _____ Place _____

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 Residential Rental Property:

Street Address	Unit No. (if any)	City	County	State	Zip
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Landlord's Contact Information (to the extent known):

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

1. Contact information for person completing case information sheet:		2. Names of parties in case:				
Name: _____ Address: _____ City/State/Zip: _____ Email: _____ Signature: _____	Telephone: _____ Fax: _____ State Bar No: _____	Plaintiff(s): _____ _____ Defendant(s): _____ _____ [Attach additional page as necessary to list all parties]				
3. Indicate case type, or identify the most important issue in the case (select only 1):						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> ☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any. </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> ☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any. </td> </tr> <tr> <td style="vertical-align: top; padding: 5px;"> ☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any. </td> <td style="vertical-align: top; padding: 5px;"> ☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any. </td> </tr> </table>			☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.
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Justice Court
PRECINCT FOUR
ELGIN, TEXAS 78621

1125 DILDY DRIVE
512.581.7162

GENERAL INFORMATION SHEET

IN ORDER TO ASSIST US IN THE TIMELY SERVING OF CIVIL PAPERS, PLEASE FURNISH THE FOLLOWING INFORMATION:

Plaintiff's Name: _____

Plaintiff's Address: _____

Plaintiff's Phone Number: _____ mobile

_____ work/fax

Defendant's Name: _____

Defendant's Address: _____

Defendant's Phone number: _____ mobile

_____ work/fax

Defendant's Place of Employment: _____

Employment Address: _____

Defendant's work hours: _____

ANY OTHER INFORMATION THAT YOU CAN FURNISH WILL HELP GREATLY IN SERVING YOUR PAPERS.

PLEASE FURNISH EXPLICIT DIRECTIONS OR A MAP IF POSSIBLE.