

Cause No. _____

Tenant

Vs.

Landlord



IN THE JUSTICE COURT

PRECINCT TWO, PLACE ONE

WASHINGTON COUNTY, TEXAS

Street Address & Unit Number

City

State

Zip Code

**PLAINTIFF'S ORIGINAL PETITION FOR REPAIR AND REMEDY RELIEF UNDER SECTION 92.0563 OF THE TEXAS
PROPERTY CODE
(Effective 08/31/2013)**

TO THE HONORABLE JUSTICE OF THE PEACE:

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.

Street Address & Unit Number

City

State

Zip Code

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

Business Street Address

& Unit Number

City

State

Zip Code

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 agent.

The name of Landlord's management company is _____. To Tenant's knowledge, this is the management company's contact information:

Business Street Address

& Unit Number

City

State

Zip Code

The name of Landlord's on-premise manager is _____. To Tenant's knowledge, this is the on-premises manager's contact information:

PLAINTIFF'S ORIGINAL PETITION FOR REPAIR AND REMEDY RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE
Cause #: _____

Business Street Address & Unit Number City State Zip Code

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 Number City State Zip Code

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 _____ of the 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 _____),

PLAINTIFF'S ORIGINAL PETITION FOR REPAIR AND REMEDY RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

Cause #: _____

[] actual damages in the amount of \$ _____, [] actual damages in the amount of \$ _____,
[] a civil penalty of one month's rent plus \$500.00, [] attorney's fees, and [] court costs. Tenant
states that the total relief requested does not exceed \$10,000.00, excluding interest and court costs
but including attorney fees.

[] I give consent for the answer and any other motions or pleadings to be sent to my email address which is:
(print very clearly) _____.

Petitioner's Printed Name

Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known)

DATE OF BIRTH: _____

Address of Plaintiff's Attorney, if any, or Plaintiff if none

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

City Texas Zip

Phone & Fax No. of Plaintiff

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

NOTARY PUBLIC, State of Texas or Court Clerk/Judge