

**Civil Paperwork Must Include:**

**1 ORIGINAL and 2 COPIES** of the Entire Packet  
Note \* (Add 1 additional set of copies if multiple  
Defendants are listed)

**Copies Include:**

Cover Page / Petition / Filing Paperwork  
Military Affidavit / Covid Compliance  
Evidence / Motions / Answers

**Civil Payment must be in the form of:**

Money Order or Cashier Check

Two Separate Payable to:

**JP1** for \$54.00 (Filing Fee)

**WCCO** for \$100.00 \*per Defendant (Service Fee)

# NOTICE TO VACATE

DATE: \_\_\_\_\_

To: \_\_\_\_\_ and all other occupants:

In accordance with the Statutes of the State of Texas, you are hereby notified and required to quit and deliver up peaceful possession of the premises you now hold, and or pay the amount of rent now due \$ \_\_\_\_\_, which said premises are situated and described as follows:

---

Property Address

---

City

State

Zip

Should you fail to comply with this request to vacate the said premises by the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, then I shall proceed against you as the laws direct.

Sincerely,

Owner / Authorized Agent

**Plaintiff gave defendant(s) this written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and made demand for possession on the \_\_\_\_\_ day of \_\_\_\_\_ and delivered by this method:**

---

---

## JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

**CAUSE NUMBER (FOR CLERK USE ONLY):** \_\_\_\_\_

**STYLED** \_\_\_\_\_

*Example: (Plaintiff(s) vs. Defendant(s))*

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:
<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>Defendant(s): _____</p> <p>_____</p> <p>_____</p> <p>[Attach additional page as necessary to list all parties]</p>
<b>3. Indicate case type, or identify the most important issue in the case (select only 1):</b>	
<p><input type="checkbox"/> <b>Debt Claim:</b> 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.</p>	<p><input type="checkbox"/> <b>Eviction:</b> 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.</p>
<p><input type="checkbox"/> <b>Repair and Remedy:</b> 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.</p>	<p><input type="checkbox"/> <b>Small Claims:</b> 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.</p>

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF

§  
§  
§  
§  
§  
§

IN THE JUSTICE COURT

v.

PRECINCT NO. 1

\_\_\_\_\_  
DEFENDANT

WILSON COUNTY, TEXAS

**PETITION: EVICTION CASE**

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s) \_\_\_\_\_  
\_\_\_\_\_ for eviction of Plaintiff's premises (including storerooms  
and parking areas) located in the above precinct. The address of the property is:

\_\_\_\_\_  
Street Address                      Unit No. (if any)                      City                      State                      Zip

**GROUND FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

- Unpaid rent.** Defendant(s) failed to pay rent in the amount of \$\_\_\_\_\_ for the following time period(s): \_\_\_\_\_. The amount of rent claimed as of the date of filing is: \$\_\_\_\_\_. Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.
- Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows: \_\_\_\_\_
- Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or renewal of extension period, which was the \_\_\_ day of \_\_\_\_\_, 20\_\_.  
*(day after the notice to vacate expired)*

**NOTICE TO VACATE:** Plaintiff has given Defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the \_\_\_ day of \_\_\_\_\_, 20\_\_ by this method: \_\_\_\_\_

**SUIT FOR RENT:** Plaintiff  does or  does not include a suit for unpaid rent.

**ATTORNEY'S FEES:** Plaintiff  will be or  will not be seeking applicable attorney's fees. The attorney's name, address, phone and fax numbers are: \_\_\_\_\_

**IMMEDIATE POSSESSION BOND:** If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the Court set the amount of the bond; (2) the Court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

**SERVICE OF CITATION:** Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other home or work addresses where Defendant(s) may be located or served at are: \_\_\_\_\_

Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

**RELIEF:** Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.

I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: \_\_\_\_\_.

I have reviewed the information about the Texas Eviction Diversion Program available at [www.txcourts.gov/eviction-diversion/](http://www.txcourts.gov/eviction-diversion/).

***\*All hearings will be in person and all will be required to complete a health screen questionnaire, wear face coverings in the courtroom, practice social distancing, and practice appropriate hygiene recommendations at all times.***

\_\_\_\_\_  
Plaintiff's Printed Name

\_\_\_\_\_  
Signature of Plaintiff or Agent or Attorney

**Defendant's Information** (if known):

Date of birth: \_\_\_\_\_

\_\_\_\_\_  
Address of Plaintiff or Agent or Attorney

Last three digits of Driver License: \_\_\_\_\_

Last three digits of Soc. Sec. No.: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone & Fax No. of Plaintiff  
or Agent or Attorney

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

# AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CASE NO. (Court use only) \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF(S)

VS.

\_\_\_\_\_  
DEFENDANT(S)

IN THE JUSTICE COURT

PRECINCT 1

WILSON COUNTY, TEXAS

Before me the undersigned notary, on this day personally appeared the undersigned affiant whose identity is known to me. After I administered an oath to such affiant, he or she upon oath and under penalty of perjury (fine and/or up to one year in jail), stated the following:

My name is (please print) \_\_\_\_\_

I am (check one)  the plaintiff or  an authorized agent of the plaintiff in the case described at the top right of this page. I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

(Check or fill in as applicable)

1. No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines, or Coast Guard). The facts on which I base my conclusion are as follows: \_\_\_\_\_

\_\_\_\_\_

2. Defendant (insert name(s)) \_\_\_\_\_  
\_\_\_\_\_ is on active duty in the U.S. military.

3. Defendant (insert name(s)) \_\_\_\_\_  
\_\_\_\_\_ has been deployed by the U.S. military to a foreign country.

4. Plaintiff and the undersigned (if the undersigned is acting agent of plaintiff) are not able to determine whether any defendant is with the U.S. military – except for defendant named in paragraph 2 above.

5. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the U.S. military has been deployed to a foreign country – except for any defendant named in paragraph 3 above.

6. Defendant (insert name(s)) \_\_\_\_\_  
\_\_\_\_\_ has signed, while on active duty, a separate written waiver or a written lease containing a waiver of his or her rights under the U.S. Service members Civil Relief Act of 2003.

\_\_\_\_\_  
Signature of Affiant

SWORN TO and SUBSCRIBED before me by \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Texas



# STATE OF TEXAS

## EVICION DIVERSION PROGRAM

**The Texas Eviction Diversion Program (TEDP) Set-Aside of the Texas Rent Relief (TRR) Program helps Texas tenants stay in their homes and provides landlords an alternative to eviction.**

The TEDP may provide up to 15 months of rental and utility assistance for eligible tenants who are behind on their rent due to the COVID-19 pandemic and have been sued for eviction. Both the tenant and the landlord must agree to participate and meet the requirements listed on the back of this page.

This temporary program is a unique partnership between the Supreme Court of Texas, Texas Office of Court Administration (OCA), and the Texas Department of Housing and Community Affairs (TDHCA).

- If the rent is below the TRR Program maximum, assistance can be used to pay the contracted rent for all past due rent as far back as March 13, 2020 (up to 12 months), plus up to 3 months of current/future rent. An additional 3 months (not to exceed the total of 15 months) may be provided upon re-application if necessary to ensure housing stability and if funds are available.
- The TEDP allows courts to put eviction lawsuits on hold so that the tenant may apply for available rental assistance. When approved, lump sum payments are provided to landlords for past-due rent and late fees in exchange for allowing tenants to remain in their homes and covering court costs. The payment to landlord is generally within 14 days of a complete application being received. Diverted cases will be dismissed and made confidential from public disclosure.
- Tenants are ineligible if they are receiving tenant-based voucher assistance, such as a Housing Choice Voucher, project-based Section 8 or are living in public housing, or have already received rental assistance from another source for the same time period.

## LANDLORD / UNIT

### Eligibility Requirements:

- Assistance for rent and reasonable late fees (stemming from non-payment of rent) no older than March 13, 2020
- Contract rent for the household assisted may not exceed the TDHCA maximum limits (limits available by zip code and county at [TexasRentRelief.com](https://www.texasrentrelief.com))
- Must have a bank account and accept direct deposit
- Units are INELIGIBLE if tenants are receiving tenant-based voucher assistance, such as a Housing Choice Voucher, project-based Section 8 or are living in public housing, or have already received rental assistance from another source for the same time period

### Documents Needed:

- Government-issued or personal ID (only if individual/sole proprietor)
- Lease agreement (or if no lease agreement, landlord attestation as part of the application regarding term and amount of rent)
- Completed IRS Form W-9
- Direct Deposit Information
- Proof of Ownership (real property record/Appraisal District information)

### You will be required to certify that you:

- Will waive any fees or penalties not covered by TEDP/TRR, and not pass court costs on to the tenant
- Have not received assistance from another program for the same months of rent for this household and will not apply in the future for the covered months
- Will release the tenant from payment liability for this time period, waive all claims raised in the eviction case, and not evict the tenant for the period covered by TEDP/TRR
- Will reimburse the TEDP/TRR within 10 business days if you receive rent payment for this same unit and time period

## TENANT / HOUSEHOLD

### Eligibility Requirements:

- Household has been sued for eviction from primary residence, located in Texas, and has eviction court docket number
- Household income at or below 80% of Area Median Income (limits available by county at [TexasRentRelief.com](https://www.texasrentrelief.com))
- AND one or more of the household members:
  - Qualified for unemployment benefits on or after March 13, 2020; OR
  - Attest in writing that due to or during the pandemic they have:
    - Experienced a reduction in household income,
    - Incurred significant costs, or
    - Experienced financial hardship
- AND households must demonstrate:
  - That they are at risk of homelessness or housing instability by providing an eviction notice or past-due utility or rent notice; OR
  - Attest that unless they receive rental assistance, they would have to move to an unsafe/unhealthy environment like a shared living situation or emergency shelter

### Documents Needed:

- Government-issued or personal ID of a person on the lease
- Lease agreement (or if no lease, rent receipt for the three most recent complete months paid)
- Income documentation:
  - If household has 6 or fewer members, recent SNAP or LIHEAP eligibility or recent SSI eligibility for the head or co-head of household, OR
  - Recent income certification from an affordable property, OR
  - Annual income documentation for 2020, OR
  - Income evidence for past 30 days (self-attestation allowed in some circumstances, more details on [TexasRentRelief.com](https://www.texasrentrelief.com))
- Notices of late rent payment or notice to evict, including court docket number, Justice of the Peace precinct, and county
- Past due utility bills, if utility assistance is being requested
- Unemployment documentation, if applicable

### You will be required to certify that you:

- Have not received rental assistance for the same months of rent or the rental assistance received was less than the full amount owed, and will not seek such assistance in the future for the covered months
- Will reimburse the TEDP/TRR within 10 business days if you receive rent (or utility) payment for this same time period

Tenant and Landlord both apply online ([TexasRentRelief.com](https://www.texasrentrelief.com)) or by phone (833-9TX-RENT)  
If Texas Rent Relief application is eligible and complete, payment to landlord is generally within 14 days

### For Questions

Program Eligibility, Process and Application: [TexasRentRelief.com](https://www.texasrentrelief.com) | 833-9TX-RENT / 833-989-7368

Court Process: [txcourts.gov/eviction-diversion](https://txcourts.gov/eviction-diversion) | 855-270-7655 (Texas Legal Service Center)

