CHECK LIST FOR NUMBER OF COPIES NEEDED TO FILE YOUR EVICTION CASE_

FOR EVICTION ONLY

| | Complaint | Eviction Summons | Notice | Lease |
|------------------|----------------------------------|-------------------------|----------|----------|
| | (form #3-b, #3-e, #3-h OR | (form #3-k) | | |
| | #3-j) | | | |
| One defendant | Original plus 2 copies | Original plus 3 copies | 2 copies | 2 copies |
| Two defendants | Original plus 3 copies | Original plus 5 copies | 3 copies | 3 copies |
| Three defendants | Original plus 4 copies | Original plus 7 copies | 4 copies | 4 copies |
| Four defendants | Original plus 5 copies | Original plus 9 copies | 5 copies | 5 copies |

FOR EVICTION AND MONEY DAMAGES OR BACK RENT (COUNT I & II)

| | Complaint (form | Eviction Summons | Damages or Back | Notice | Lease |
|-----------|-----------------|-------------------------|---------------------|--------|--------|
| | #3-c) | (form #3-k) | Rent Summons | | |
| | | | (form #3-1) | | |
| One | Original plus 3 | Original plus 3 | Original plus 3 | 2 | 2 |
| defendant | copies | copies | copies | copies | copies |
| Two | Original plus 5 | Original plus 5 | Original plus 5 | 3 | 3 |
| defendant | copies | copies | copies | copies | copies |
| Three | Original plus 7 | Original plus 7 | Original plus 7 | 4 | 4 |
| defendant | copies | copies | copies | copies | copies |
| Four | Original plus 9 | Original plus 9 | Original plus 9 | 5 | 5 |
| defendant | copies | copies | copies | copies | copies |

You do not need copies of all the complaints provided in this packet.

Choose only ONE complaint to file your case.

LANDLORD/TENANT EVICTION INFORMATION FOR MOBILE HOME PARKS

Bay County Clerk of Court
300 E 4th Street
P O Box 2269
Panama City, Fl 32402
(850)747-5141
www.baycoclerk.com

Business hours are 8:00 am to 4:30 pm

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 only a brief statement and <u>does not</u> explain all 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 a qualified attorney.

ALL LANDLORDS AND TENANTS should read and become familiar with Chapter 723 and Chapter 83, Florida Statutes.

The attached forms are designed for your use in the event of common Mobile Home Park landlord/tenant disputes (the tenant owns the mobile home). No form should be used until you have carefully reviewed and understand the instructions preceding the form and reviewed any Florida Statute referred to in the form. Copies of the statutes are available at the law library located at your county courthouse and at your public library or at the following website address www.flsenate.gov.

STEPS TO TAKE IN FILING AN EVICTION CASE

Once you have decided which of the six grounds you intend to rely upon, you must determine which notice is appropriate to serve and then, if the tenant does not vacate within the time given, which complaint form you should use. We have prepared notice and complaint forms for the four most common types of evictions (grounds one through four).

Once any applicable notices have been delivered and the complaint filed, you must have the summons and complaint served. (You cannot serve the complaint by posting in mobile home park evictions, unlike residential tenant evictions under Chapter 83, although the NOTICE must be posted).

The following information applies only to Mobile Home Lot Rental, if the tenant owns the mobile home. A mobile home park is defined as one which offers for rent ten or more lots. If your park offers/rents less than ten lots, you fall under Chapter 83. **Chapter 723 also does not apply to RV parks.**

Before a lawsuit is filed, you must determine the reason for the eviction and give a written notice to the tenant to move the mobile home.

When filing your lawsuit you will need the following documents (please print or type and use blue or black ink) your forms must be legible.

- 1. Completed original petition and one copy for each defendant.
- 2. Completed original summons and 2 copies for each defendant.
- 3. One copy of the notice given to the defendant for the court file and one copy for each defendant named in the case.
- 4. A copy of the lease for the file and one copy for each defendant named in the lawsuit.

You should keep a copy of all the documents filed for your records.

If you are filing a case with Count I (eviction, to have the mobile home moved from the park) and Count II (damages for unpaid rent or damages to the property) the 20 day summons for damages must be personally served (hand delivered). You will need the following in addition to the above requirements to file your case.

- a. A copy of the complaint for each defendant.
- b. A completed original 20 day summons and 2 copies for each defendant.

You should verify on the complaint, the eviction address, as well as the lot number and spelling of the street address for correctness, in order for the Bay County Sheriff's Office to serve the summons without delay.

If the Written notice is defective, your case is subject to immediate dismissal. If your case is dismissed your court cost will not be refunded.

After the complaint is served:

If no answer is filed within 5 days after service of the summons: On the 6th day you should present to the clerk a Motion for Default and Final Judgment.

After entry of the Default, the clerk will forward the proposed Final Judgment of Eviction to the assigned Judge. He will review the file for proper and timely filings in the case. If he finds everything in order he should sign the Final Judgment of Eviction. A Writ of Possession will be issued ten (10) days after the Judgment is signed (the eleventh day). We will call you when the writ is issued so that you may pick it up and take it to the Sheriff's Office. The Landlord should inquire at the Sheriff's Office concerning the time for the property to be turned over to the landlord.

If an answer is filed or rent is deposited into the Registry of the Court.

Upon receipt of an Answer or upon deposit of rent into the registry of the Court, the Clerk will forward the file to the Judge for review to determine what action he will take on the case. He can do one of several things:

- Enter a Final Judgment of Eviction
- Set a mediation hearing
- Set a hearing before the Judge.
- Dismiss the case if something is wrong in the file.
- Set a hearing with mediators or with the Judge <u>and</u> enter a Final Judgment of Eviction.

If a hearing of any kind is scheduled you will be notified by mail.

If the tenant moves prior to a Final Judgment being entered, or an agreement is reached allowing the tenant to stay, the landlord must file an original Voluntary Dismissal. A copy of the Voluntary Dismissal must be mailed or delivered to the defendant. Please note the Landlord should not accept any monies from the defendant(s) during the eviction process, instead the landlord should instruct the defendant(s) to deposit any and all monies into the Registry of the Court.

The Landlord and Tenant should take note, should you file any documents with the court you must provide copies to the other party either by mail or hand delivery. A certificate should be placed on the document that you have done so.

The Clerk's Office cannot refuse to accept any filing presented to them. Any determination regarding the proper filing of a complaint or pleading will be made by the Judge.

CLERKS FILING FEES FOR EVICTON CASES ARE \$185.00 TO ISSUE A SUMMONS; \$10.00 PER DEFENDANT

You may pay with Cash, Cashiers Check, Business Check, Money Order, Credit/Debit Cards with Visa, MasterCard or Discover logos. The credit card server will charge a non-refundable \$5.00 per transaction for using the card. The Clerk's Office does not accept personal checks.

SHERIFF'S SERVICE FEES ARE \$40.00 PER SUMMONS

A husband and wife are two individuals in the lawsuit and will require the service of a summons on both parties.

SHERIFF'S SERIVE FEE FOR WRIT OF POSSESSIOIN WILL BE \$90.00

The Sheriff's Office will not accept out of county checks or cash. If you have any questions concerning payment you should direct them to the Sheriff's Office, Civil Division at 850-747-4700.

FORMS IN THIS PACKET

Form 3-a

Notice to Quit Non-Payment of Rent

This is applicable only if the non-payment continues for five (5) days (not counting Saturdays, Sundays and Holidays) after delivery of a written demand by the owner for payment of the lot rental amount. The demand by the owner for payment can only be delivered by certified or registered mail to the mobile home owner's last known address. On the same day it is mailed it must be posted on the premises. You can not mail the notice one day and post it the next day. You must add five (5) days for delivery of the mail to the five (5) days you have given them to vacate; not counting Saturdays, Sundays or Holidays. In addition, even if the tenant remains in default for the five days, he may still not be evicted for non–payment if he pays the amount due (including any applicable late fees, court costs and attorneys fees) by the time the case comes to pretrial conference.

Be sure to keep a copy of this notice to bring with you when filing your eviction case with the Clerk.

Form 3-b

Complaint for Eviction Mobile Home Park (Rent)

This complaint should be used if you are filing only to evict the defendant for non-payment of rent.

Form 3-c

Complaint for Eviction

Mobile Home Park (Rent and Money Damages)

This complaint should be used if you are filing for Count I eviction for non-payment of rent and Count II, for back rent and damages to the premises.

Form 3-d

Notice to Quit Serious Rule Violation

The tenant violates a rule, regulation, rental agreement provision or statutory provision of Chapter 723, which violation "is found by any court having jurisdiction thereof to have been an act which endangered the life, health, safety, or property of the park residents or the peaceful enjoyment of the mobile home park by its residents.

Form 3-e

Complaint for Eviction Mobile Home Park (Serious Rule Violation)

To be used when filing the case with the Clerk along with the copy of form-3-d.

Form 3-f

Repeat Rule Violation
Notice to Cure

The tenant violates any rule, regulation, rental agreement provision or any section of Chapter 723 for the second time within 12 months if:

a. You give the tenant <u>written</u> notice within 30 days of the first violation (which notice specifically described the actions which constituted the violation and gave the tenant seven (7) days to correct it.

Form 3-g

Notice to Quit Repeat Rule Violation

b. the tenant failed to correct the first violation within the seven days; or corrected it but then repeated the violation within the 12 month period and you gave the tenant a thirty (30) day written notice to vacate after the second violation.

This is a two step process; serve the owner with a notice to cure, and then (if the problem is not cured) with a notice to quit. Both notices must be delivered in the manner described in form 3-a.

Form 3-h

Complaint for Eviction

Mobile Home Park (Repeat Rule Violation)

Use this complaint when filing with the Clerk for Repeat Rule Violation. You will need copies of both notices of the rule, provision or statute upon which you are relying (form 3-f and form 3-g),

Form 3-i

Notice to Vacate Convicted of Crime

Use this notice if the tenant has been convicted (if adjudication is withheld, it does not count) of a State or Federal crime.

Form 3-j

Complaint for Eviction Mobile Home Park (Conviction of a Crime)

The tenant is convicted (if adjudication is withheld, it does not count) of any federal or state statute which you feel you can successfully argue to the court constitutes a detriment to the health, safety or welfare of other residents in the park.

<u>Form 3-k</u>

5-day Summons for Eviction

If your complaint is only for eviction of the tenant, you need to complete and deliver this form to the clerk with the complaint.

Form 3-l

20-day Summons for Back Rent and Damages

If a lawsuit is filed to evict the tenant and recover back rent and damages, both summons form 3k and form 3-l should be prepared and delivered to the clerk at the time of filing the complaint. **If the complaint seeks only to evict the tenant, do not use form 3-l**. The summons should be attached to a copy of the complaint, and after execution by the clerk, delivered to the sheriff or other authorized process server to be served upon the tenant. This summons can not be posted, it must by personally served.

Form 3-m

Motion for Default and Default

To be used if the defendant fails to move after the summons has been served. You may file this pleading on the sixth (6) day after service, not counting Saturday, Sunday or Legal Holidays.

Form 3-n

Affidavit of Damages ***\$10.00 fee for Clerk to notarize this form***

To be used if you have filed complaint 3-c, Rent and money Damages. You may file this pleading after 20 calendar days has expired along with the Motion for Default and Default (form 3-m) and Non Military Affidavit (form 3-n).

Form 3-o

Non Military Affidavit

You must file this affidavit along with the above forms to receive your money judgment for back rent and damages.

Form 3-p

Satisfaction of Judgment

If you are holding a Final Judgment, and the defendant at some point pays the money owed, the Satisfaction should be completed and recorded in the Recording Department of the Clerks Office. Be sure and check with that office for the cost of recording.

Form 3-q

Notice of Dismissal

If you and the defendant come to an agreement and you don't need to follow through with the eviction, you should file the Notice of Dismissal closing the case. A copy is to be provided to the Defendant.

We do not have the forms for the following grounds:

No longer using the land as a Mobile Home Park

If you decide you no longer want to use the land as a mobile home park, you must give one six (6) months notice to vacate.

The tenant sells the mobile home without your approval

The tenant sells his mobile home to someone who does not qualify or has failed to obtain approval from you to become a tenant (if approval is required by a properly promulgated rule of the mobile home park). You must give a seven (7) day notice for failure to be approved for tenancy.

NOTICE TO QUIT (Non Payment of Rent)

| To: | |
|--|--|
| You are hereby notified that you are indebted to me in | the sum of \$ for the rent of the |
| lot located at | in Bay County, Florida, now |
| occupied by you, and that I demand payment of the r | rent or possession of the premises within five |
| (5) days (not including Saturdays, Sundays or Legal | Holidays) from the date of delivery of this |
| notice (which is determined by adding five calendar of | days to the date on the postmark), To Wit, on |
| or before | |
| Date of Mailing: | |
| Date of Posting: | |
| Landlord's Name: | |
| Address: | |
| | |
| Phone Number: | |

| Plainti | ff | | Case No | |
|------------------|--|--|--|------------------------------------|
| -vs- | | | Division: | |
| Defen | dont | | | |
| Deten | uanı | | | |
| | | COMPLAINT FOR MOBILE HOME PAI (Rent) | RK EVICTION | |
| PLAIN and all | NTIFFleges. | _ sues Defendant | | |
| 1. | This is an action to evid 723.061(1)(a), Florida Statu | | le Home Park in Bay C | County, Florida, pursuant to |
| 2. | Plaintiff owns the followin containing 10 or more mobile | | n said County, wherein is | located a Mobile Home Park |
| | (Street address of Rental Pr | operty including lot numbe | r, City,. State and Zip) | |
| 3. | Defendant has possession o rent of \$ p (Amount of Rent) | ayable each | n agreement, copy attached , Weekly, etc) | or oral agreement, to pay |
| 4. | Defendant failed to pay ren | | Fendant failed to pay rent) | |
| | | • | 1 2 | |
| 5. | Plaintiff served Defendant possession, but Defendant r | | | to pay the rent or deliver hereto. |
| 6. | Defendant owes Plaintiff paccrue at the rate of \$ | | | which continues to |
| Where | efore, Plaintiff demands judgm | ent for possession of the pr | operty against Defendant. | |
| | | | | |
| | | | Plaintiff, Attorney | or Agent |
| | | | Address | |
| | | | City, State, Zip | |
| | | | Phone Number | |
| | | | Email Address | |

| ———Plaintiff | F | | Case No. | |
|--------------|--|---------------------------------------|--|-------------------------------|
| -VS- | | | Division: | |
| Defenda | ant | - | | |
| | | COMPL MOBILE HOME P (Rent and I | ARK EVICTION | |
| Plaintiff | · | sues Defendant | | and alleges. |
| | | COUN | I TV | |
| 1. | This is an action to evict 723.061(1)(a), Florida Statuto | | bile Home Park in Bay C | County, Florida, pursuant to |
| 2. | Plaintiff owns the following containing 10 or more mobile | 1 1 | y in said County, where is l | ocated a Mobile Home Park |
| | (Street address of Rental Pro | perty, including Lot nur | nber, City, State and Zip) | · |
| 3. | Defendant has possession of rent of \$ p (Amount of Rent) | ayable each | rritten agreement, copy attach hly, or Weekly) | ed, or oral agreement, to pay |
| 4. | Defendant failed to pay rent of | lue on(Date Defendant | failed to pay rent) | |
| 5. | Plaintiff served Defendant possession, but Defendant ref | | y of which notice is attached. | |
| 6. | Defendant owes Plaintiff 1 | past due rent of \$ _ | as of | , which |
| | continues to accrue at the rate | e of \$ | per month, plus court cost | S. |

COUNT II

| 7. | This is an action for damages that do not exceed \$15,000.00. | | | | | |
|--------|---|-----------------------|-------------------------------|----------|--|--|
| 8. | Plaintiff restates those allegations contained in paragraphs 1 through 6 above. | | | | | |
| 9. | Defendant owes Plaintiff \$ that is due with interest since, f | | | | | |
| unpaid | rent and \$ | _ for damages to the | premises, plus court costs of | · | | |
| Wheref | ore, Plaintiff demands judgment f | for damages against I | Plaintiff, Attorney or Agent | - | | |
| | | | Address | _ | | |
| | | | City, State and Zip | | | |
| | | | Phone Number | <u> </u> | | |
| | | | Email Address | | | |

NOTICE TO QUIT
(Serious Rule Violation)

| To: |
|--|
| You are hereby notified that you have committed an act which has endangered the life, health, |
| safety, or property of the park residents or the peaceful enjoyment of the park by the residents, to |
| wit: |
| (Explain circumstances) |
| |
| |
| You are hereby notified that I have elected to terminate your rental agreement, pursuant to 723 |
| Florida Statutes, for the lot located at |
| in Bay County, Florida, and |
| you have seven (7) days, counting Saturdays, Sundays and Legal Holidays, from the date this notice |
| is delivered to vacate the premises (delivery date is determined by adding five (5) calendar days to |
| the date on the postmark); To Wit, on or before |
| Date of Mailing: |
| Date of Posting: |
| Landlord's Name: |
| Address: |
| |
| Phone Number |

| Plaintiff | | Case No |) | |
|---------------|--|--|--|--|
| -VS- | Division: | | | |
| Defenda | MOBILE | COMPLAINT HOME PARK EVICTION rious Rule Violation) | | |
| Plaintiff | sues | Defendant | and alleges. | |
| 1. | This is an action to evict a tenant from a Florida Statutes. | Mobile Home Park in Bay C | County, Florida, pursuant to 723.061(1), | |
| 2. | Plaintiff owns the following described recontaining 10 or more mobile home lots: | eal property in Bay County, | wherein is located a Mobile home Park | |
| | (Street address of Rental Property including | ng lot number, City, State & Z | Zip) | |
| 3. | Defendant has violated the following park Statutes. Below identify rule or lease pro- | | tach copy of applicable lease or rules. | |
| 4. | Specifically, the defendant (state circumst | rances causing violation): | | |
| 5. | Defendant act endangered the life, healt peaceful enjoyment of the park by the resi | | | |
| 6. | As a result, Plaintiff elected to termin vacate, which Defendant refuses to do. A | | | |
| Wherefo | ore, Plaintiff demands judgment for possess | sion of the property from Defe | endant. | |
| | | Plaintiff, Attorney or Ager | nt | |
| | | Address | | |
| | | City, State and Zip | | |
| | | Phone Number | | |
| | | Email Address | | |

NOTICE TO CURE (Repeat Rule Violation)

| To: | | | | | | |
|---|--|--|--|--|--|--|
| You are hereby notified that, within the last thirty (30) days, you have violated a rule, regulation or | | | | | | |
| lease provision of this mobile home park or a section of Chapter 723, Florida Statues, and To Wit: | | | | | | |
| (cite the rule or statute) | | | | | | |
| | | | | | | |
| Specifically, you have(State the circumstances constituting the violation) | | | | | | |
| , | | | | | | |
| I therefore demand, pursuant to 723 Florida Statutes, that you either correct the condition described | | | | | | |
| above within seven (7) days (counting Saturdays, Sundays and Holidays) of the date of delivery of | | | | | | |
| this notice (delivery is computed by adding five (5) calendar days to the postmark date); To Wit, on | | | | | | |
| or before or vacate the lot that you now rent, located at | | | | | | |
| Failure to cure the condition or repeating a cured violation within one year of the date of delivery of | | | | | | |
| this notice will result in your being evicted from the premises. | | | | | | |
| Date of Mailing: | | | | | | |
| Date of Posting: | | | | | | |
| Landlord's Name: | | | | | | |
| Address: | | | | | | |
| Phone Number | | | | | | |

NOTICE TO QUIT

(Repeat Rule Violation)

| To: | | | | | | | | | | | |
|------------|----------------------|---------------|-----------|----------|------|---------------|-------|--------|---------|-----------|------------------|
| | | | | | | | | | | | es located at |
| violation | of park ru | le, regulati | ion, leas | se prov | isic | on or section | on of | Chapte | er 723, | Florida S | tatutes, and To |
| Wit: | | | | | | | | | | | |
| (cite the | rule, provi | sion or stat | tute) | | | | | | | | |
| Within o | ne year of | the first vi | olation | by enga | agi | ng in the f | ollow | ving: | | | |
| (describe | the prohil | oited activi | ty) | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| X 7 | . 1 | | 702.06 | 1 17 | . 1 | C | | , , | 1 | .1. | (20) 1 6 |
| | | | | | | | | | | - | (30) days from |
| | - | | | | | | - | _ | | ndar days | s to the date on |
| the posti | nark of uni | s letter); To | 3 WII; 0 | on or be | 101 | e | | | • | | |
| Date of N | Mailino [.] | | | | | | | | | | |
| | | | | | | | | | | | |
| 2410 01 1 | | | | | | _ | | | | | |
| Landlord | l's Name: | | | | | | | | | | |
| | - | | | | | | | | | | |
| Address | - | | | | | | | | | | |
| | - | | | | | | | | | | |
| Phone N | umber | | | | | | | | | | |

| Plaintiff | | Case No | | | | | |
|-------------|---|---|---|--|--|--|--|
| -VS- | | Division | | | | | |
| Defenda | ınt | _ | | | | | |
| | | COMPLAINT MOBILE HOME PARK F (Repeat Rule Violat | | | | | |
| Plaintiff | | sues Defendant | and alleges. | | | | |
| 1. | . This is an action to evict a tenant from Mobile Home Park in Bay County, Florida, pursuant to 723.061 Florida Statutes. | | | | | | |
| 2. | Plaintiff owns the following contains 10 or more mobile h | | County, wherein is located a Mobile home Park | | | | |
| | (Street address of rental prop | perty including lot number, City | y, State and Zip) | | | | |
| 3. | Defendant has continued to violate the following park rule(s), lease provision or section of Ch. 723, Florida Statutes. Below identify rule or lease provision or statute number and attach a copapplicable lease or rules. | | | | | | |
| 4. | Specifically, the defendant (s | state circumstances causing vio | lation) | | | | |
| 5. | Defendant act endangered the peaceful enjoyment of the pa | | erty of the park residents, or it interfered with the | | | | |
| 6. | | ed to terminate the rental aguses to do. A copy of the notice | greement and served Defendant with a notice to e is attached. | | | | |
| Wherefo | ore, Plaintiff demands judgme | ent for possession of the propert | ty from Defendant. | | | | |
| | | | Plaintiff, Attorney or Agent | | | | |
| | | | Address | | | | |
| | | | City, State and Zip | | | | |
| | | | Phone Number | | | | |
| | | | Email Address | | | | |

Form 3-h

NOTICE TO VACATE (Conviction of Crime)

| To: | |
|---|---|
| You are hereby notified that pursuant to Florida therefore are being notified to vacate the premi | Statutes 723 you have been convicted of a crime and ises located at |
| | |
| delivered to vacate the premises. | |
| Date of Mailing: Date of posting: | |
| Landlord's Name: | |
| Address: | |
| Phone Number: | |

| –––– Plaint | tiff | | ase No | |
|----------------|--|---|---------------------------------------|-------------|
| -VS- | | Б | Division: | |
| Defer | ndant | COMPLAINT MOBILE HOME PARK EVIC (Conviction of Crime) | TION | |
| | tiff,lleges | sues Defendant, | | |
| 1. | This is an action to evict a Florida Statutes. | tenant from a Mobile Home Park in B | ay County, Florida pursuant to723.0 | 161 |
| 2. | containing 10 or more mob | | | Iome Park |
| | (Street address of rental pro | operty, including lot number, City and | State) | |
| 3. | Defendant was convicted o | f the crime of | in | |
| | , | on (Date of Conviction) | , a copy of | |
| 4. | the judgment of conviction The crime of which defend residents. | ant was convicted constitutes a detrin | nent to the health, safety or welfare | of the park |
| Wher | refore, Plaintiff(s) demands jud | gment for possession of the property | against Defendant. | |
| | | | | |
| | | Plaintiff, Attorney | or Agent | |
| | | Address | | |
| | | City State and Zip | | |
| | | Phone Number | | |
| | | Email Address | | |

| | Case No |
|-------------|--|
| Plaint | tiff/Landlord |
| -vs- | |
| | |
| Defer | ndant/Tenant |
| | EVICTION SUMMONS – RESIDENTIAL |
| | STATE OF FLORIDA ACH SHERIFF OF THE STATE |
| You a | are commanded to serve this summons and a copy of the complaint in the lawsuit on: |
| Name | e: |
| Addre | ess: |
| | |
| Talan | phone: |
| reiep | |
| | PLEASE READ CAREFULLY |
| You a place | are being sued by to require you to move out of the where you are living for the reasons given in the attached complaint. |
| You a | are entitled to a trial to decide whether you can be required to move, but you MUST DO ALI |
| of the | things listed below. You must do them within 5 days (not including Saturday, Sunday or legal |
| | ays observed by the Clerk of the Court). After the date these papers were given to you or a |
| perso | n 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 at the Bay County Courthouse, 300 East Fourth Street, Room, 105 Panama City, Florida 32401. |
| 2. | Mail or take a copy of the written reason(s) to: |
| _, | (name of Plaintiff) |
| | (address of Plaintiff including City, State, Zip Code) |
| 3. | Give the Court Clerk the rent that is due as set forth in the landlord's complaint or as |

Page 1 of 2 Form 3-k determined by the Court. YOU MUST 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. Then before the trial 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 1½% 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: | |
|----------------------|---|
| | BILL KINSAUL Clerk of the Court Bay County, Florida |
| | By: |
| To BCSO by Plaintiff | |
| To BCSO by Clerk | |
| To Process Server | |

Form: 3-k Page 2 of 2

| | Case No |
|---|--|
| Plaintiff/Landord | |
| -VS- | |
| | |
| Defendant/Tenant | |
| | 222 - 2022 |
| ACTION FOR R | SUMMONS ACK RENT AND DAMAGES |
| ACHONTORD | (COUNT II) |
| _ | |
| To:(Defendant/Tenant) | |
| (Defendant Tenant) | |
| | |
| (Address) | |
| | |
| (City, State and Zip Code) | |
| | |
| | to serve written defenses to the demand for Back Rent |
| _ | ained in said complaint upon the above named Plaintiff, |
| at | (Landlord's Address) |
| (Landlord) | (Landlord's Address) |
| within 20 days after carvice of this Summer | ns upon the defendant, exclusive of the day of service, |
| <u> </u> | ises with the Clerk of said Court either before service on |
| | will be entered against the Defendant for the relief |
| demanded in that portion of the complaint. | |
| WITNESS my hand and seal of said | 1 Court this day of |
| 20 . | Court tills, |
| | |
| | BILL KINSAUL |
| | Clerk of Court |
| | Bay County, Florida |
| | Ву: |
| | Deputy Clerk of Court |

| | Case No |
|---|--|
| Plaintiff/Landlord | |
| -VS- | |
| | |
| Defendant/Tenant | |
| MOTION | FOR CLERK'S DEFAULT |
| Plaintiff asks the Clerk to enter a | default against, |
| Defendant, for failing to respond as requ | tired by law to Plaintiff's [] complaint for eviction or [] |
| complaint for damages. | |
| | |
| | Signature |
| | |
| | Address |
| | () |
| | City, State, Zip Code |
| | |
| | |
| | |
| | <u>DEFAULT</u> |
| A default is entered in this action | a against the Defendant for eviction for failure to respond as |
| required by law. | |
| Dated: | |
| | BILL KINSAUL |
| | Clerk of Court, Bay County |
| | Ву: |
| | Deputy Clerk of Court |

Form: 3-m

| | | Case No |
|----------------|---|--|
| Plain | tiff/Landlord | |
| -VS- | | |
| | | |
| Defe | ndant/Tenant | |
| | of Florida ty of Bay | DAVIT OF DAMAGES |
| 1. 2. 3. | who being first duly sworn This affidavit is based on n | n personal knowledge. property which is the subject of this eviction under an |
| 4. | Defendant has not paid the | due since |
| 5. | | (past due rent amount) as alleged in the |
| | complaint, \$ | in late fees, \$ court costs plus |
| 6. | interest. Defendant owes Plaintiff \$ the complaint plus interest. | (amount of other damages) as alleged in |
| | | Signature of Landlord |
| | | Address |
| | | City, State, Zip Code Phone |
| | , by | dged before me this day of,, who is personally known to me or who has produced as identification and who [] did [] did not take an oath. |
| | | Deputy Clerk or Notary |
| | | Print Name |

Form 3-n

| Case No | |
|--|----------------|
| Plaintiff/Landlord | |
| -VS- | |
| | |
| Defendant/Tenant | |
| NON-MILITARY AFFIDAVIT | |
| STATE OF FLORIDA COUNTY OF BAY | |
| Personally appeared before me the undersigned authority, authorized to take acknowledgements in the State and County aforesaid, | |
| That the undersigned is personally familiar with the Defendant(s) in the above styled matter. | |
| 2. That, to the best of the affiant's belief and information, defendant(s) is/are not in the armed forces of the Untied States, and is/are not entitled to the relief afforded Soldiers and Sailors Civil Relief Act of 1940, 50 U.S.C. §§ 501net seq. | |
| (Include statement of location and occupation of defendant to support non-militar claim). | ry service |
| 4. (Include statement of age of disability of Defendant to support non-military serving) | ice claim). |
| FURTHER AFFIANT SAYETH NAUGHT. | |
| By: | |
| State of Florida County of Bay | C |
| The foregoing instrument was acknowledged before me this day o, by, who [] is personally known to n | |
| produced as identification, and who [] did [] d | id not take an |
| oath. | |
| Deputy Clerk or Notary | |

| | Case No |
|--|---|
| Plaintiff/Landlord | |
| -VS- | |
| Defendant/Tenant | |
| | |
| <u>SATISFACTI</u> | ION OF JUDGMENT |
| The undersigned, the owner and holder of that | t certain Final Judgment rendered in the above |
| captioned civil action, dated | and recorded in Bay County, Florida, in |
| Official Records Book, Page | , does hereby acknowledge that |
| all sums due under it have been fully paid and | that said Final Judgment is hereby satisfied and is |
| canceled and satisfied of record. | |
| Dated this day of | , 20 |
| | Signature of Plaintiff |
| | Printed Name |
| State of Florida County of Bay The foregoing instrument was acknow | ledged before me this day of |
| 20, who [] is personally known to | me or [] produced |
| as identification [] and who [] did or [] d | lid not take an oath. |
| | |
| | Deputy Clerk/Notary |
| | Printed Name |

| | Case No. | • |
|--|------------------|--------|
| Plaintiff/Landlord | | |
| -VS- | | |
| Defendant/Tenant | | |
| NOTICE OF DIS | <u>SMISSAL</u> | |
| The Dlaintiff hamby dismisses this action this | day of | |
| The Plaintiff hereby dismisses this action this 20 | day of _ | |
| | | |
| | Signature of Pla | intiff |
| Cartificate of Samina | | |
| Certificate of Service | | |
| I hereby certify that a copy of the foregoing No | | |
| at | | by |
| [] United State Mail [] Hand Delivery, this | day of | , 20 |
| | | |
| | Plaintiff | |