

CAUSE NO. _____

TENANT(S): _____

IN THE JUSTICE COURT

VS.

PRECINCT ____ PLACE ____

LANDLORD(S): _____

SMITH 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(s) 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

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 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

- 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 the 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 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: _____

MAILING ADDRESS

UNIT NO. (IF ANY)

PHONE NUMBER

CITY

STATE

ZIP