

EVICTION INFORMATION FOR PRO SE LITIGANTS

Other than specifically indicated in these procedures, the Clerk's Office cannot help you or provide assistance in preparation of any forms. Any further advice or assistance must come from private counsel. The Clerk's Office **CANNOT** recommend an attorney for you. If you do not have private counsel, you may contact the Florida Bar's Lawyer Referral Service, which offers limited consultations for a minimal fee, at 1-800-342-8011. Additionally, you may be eligible for services from the Community Legal Services of Mid-Florida, Inc., and may contact them for more information at 1-866-469-7444.

To check the progress of a case throughout the eviction process, please use BECA on the Clerk of Court's website at www.brevardclerk.us > Public Records Search > Case Search > BECA.

GENERAL INFORMATION

See NEW Instruction #8 related to CARES Act protections

1. These instructions apply to residential eviction for nonpayment of rent only.
2. All landlords should read and become familiar with Chapter 83, Florida Statutes (F.S.), and Chapter 55, F.S.
3. The forms attached to these instructions have been approved by the County Court Judges in Brevard County for use in residential evictions for nonpayment of rent only. If you wish to pursue back rent or damages or eviction for reasons other than nonpayment of rent, you must either modify these forms to suit your needs, use the Simplified Forms developed by the Supreme Court, prepare your own documents or consult with an attorney.
4. When filling out the eviction forms, please print or type so that the forms are legible.
5. When filing your complaint, please ensure that you provide the appropriate number of copies for each document as indicated within these instructions. The deputy clerk will charge you a copy fee for each copy you require to complete your package if the copies are not submitted with your complaint. If you fail to advise the deputy clerk that you do not have the appropriate number of copies needed for mailing prior to the deputy clerk time-stamping and in effect filing your document, the fee will be \$1.00 per page. The fee is \$.15 per page for documents that have not yet been filed with the Clerk's Office and \$1.00 per page for documents that have been filed with the Clerk's Office.
6. When filing your complaint, please ensure that you provide the appropriate number of pre-addressed, pre-stamped business size envelopes as indicated within these instructions. The envelope should reflect the landlord's return address. The landlord will be responsible for insufficient postage or re-execution of returned mail. The Clerk's Office will not provide or sell envelopes to you. The Clerk's Office also does not sell postage. The Clerk's Office will not refuse to accept any filing presented to them and will not review pleadings to

determine whether the document is sufficiently prepared according to law. These determinations are made by the court.

7. Please note that 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 all monies into the Registry of the Court, i.e., the Clerk of Courts.
8. Pursuant to Administrative Order 20-27, a landlord must file a Landlord CARES Act Information Sheet for any complaint to evict a residential tenant for non-payment of rent. If you fail to file the Landlord CARES Act Information Sheet, the Judge may require you to submit the form prior to entry of a judgment.

FILING THE COMPLAINT

1. Prior to filing a Complaint for Eviction, the landlord must serve the proper notice on the defendant as required by Section 83.56, F.S. The three days are exclusive of the posting date, Saturdays, Sundays, and legal holidays. If the Three-Day Notice is not properly completed and served, the complaint seeking eviction may be dismissed by the court for lack of jurisdiction. The Three-Day Notice must be modified if the rental agreement or lease provides for more than three days' notice. A blank Three-Day Notice is available on the Clerk of Court's website at www.brevardclerk.us > Forms > Eviction > 3 Day Notice to Tenant.
2. You must provide the following items to the deputy clerk at the time you file a Complaint for Eviction:
 - a. The \$185.00 filing fee payable in cash, check, cashier's check, money order, or credit card payable to the Brevard County Clerk of Court.
 - b. A \$10.00 summons issuance fee for each summons. If the Complaint lists multiple defendants, a summons issuance fee will be required for each defendant. A husband and wife are considered two defendants if two separate summonses are requested by the landlord.
 - c. Service may be perfected by either the Sheriff's Office or by a Certified Process Server.
 - i. There is a \$40.00 Sheriff's Service fee per summons to be served. If the Statement of Claim lists multiple defendants, a service fee will be required for each defendant. The Sheriff's fee must be remitted in cashier's check, money order, or business check payable to the Brevard County Sheriff. The Clerk's Office CANNOT accept cash for the Sheriff. If you wish to pay cash, you will be responsible for hand-delivering the summons to the Sheriff's Office – Civil Processing Unit. The Sheriff will not accept personal checks.
 - ii. If service is to be performed outside of Brevard County, the plaintiff must contact the Sheriff of that county to obtain service and fee information. If the defendant is out-of-state, the plaintiff must contact the Sheriff of that county to obtain service and fee information.

- iii. If the plaintiff opts to have a Certified Process Server serve the summons, the plaintiff must contact the Certified Process Server to arrange service and obtain fee information. A listing of Certified Process Servers may be obtained from the Clerk of Court's website at www.brevardclerk.us > Courts > Process Servers. Listings are available for both Brevard and Seminole Counties. Any reference to the Sheriff as it relates to service of a summons within this procedure should be replaced with the Certified Process Server information if a Certified Process Server is selected by the landlord to provide service of process.
- d. Original complaint for Eviction plus two (2) copies of the complaint for each defendant.
 - e. One (1) copy of the rental agreement or lease plus two (2) copies of the rental agreement for each defendant.
 - f. One (1) copy of the Three-day Notice plus two (2) copies of the Three-day Notice for each defendant. **One Landlord CARES Act Information Sheet – need prior to entry of judgment.**
 - g. One (1) business size envelope with at least \$2.00 postage (more if the contents of the envelope require additional postage pursuant to postal standards) for each defendant pre-addressed to the defendant for mailing a copy of the summons and Complaint to the defendant. Please be advised a single "Forever" stamp does not represent sufficient postage. Multiple "Forever" stamps equaling sufficient postage will be accepted. The envelope should reflect the landlord's return address. The landlord will be responsible for insufficient postage or re-execution of returned mail.
 - h. One (1) pre-stamped pre-addressed business size envelope addressed to the landlord for the Sheriff's Office to mail a copy of the return of service advising the landlord of the date and time the defendant was served with the summons. The envelope should reflect the landlord's return address. The landlord will be responsible for insufficient postage or re-execution of returned mail. If service is being performed by a Certified Process Server, the landlord must determine whether pre-stamped, pre-addressed business size envelopes are necessary for return of service.
3. If the landlord is seeking back rent and damages, the landlord must file a two-count complaint as described in these instructions. If the damages exceed \$5,000.00, the action is subject to the Florida Rules of Civil Procedure.

SUMMONS

1. If the Complaint requests possession of the property only, a 5-Day summons will be issued.
2. If the Complaint requests possession of the property AND payment of back rent or damages, you may serve the defendant in two different ways:
 - a. Request a 5-Day summons and a separate 20-Day summons. The 5-Day summons may be either personally served or posted. The 20-Day summons must be personally served. There will be a \$40.00 Sheriff's fee per summons per defendant. If separate 5-Day and 20-Day summons are requested, each summons will require the

appropriate service fee per defendant. Please note that the separate 5-Day and 20-Day summons allows the Sheriff or Certified Process Server to post the 5-Day summons so that the possession portion of the eviction can proceed without delay. b. Request a combination 5-Day and 20-Day summons. This summons must be personally served. If this summons is not personally served, the landlord will not be awarded a money judgment. There will be a service fee per defendant. If the Sheriff or Certified Process Server is unable to post this summons, it could delay the possession portion of the eviction.

DEFAULT, FINAL JUDGMENT, AND POSSESSION

1. If an Answer is not filed by the defendant within five (5) business days after service of the summons.
 - a. The landlord must present the Motion for Default to the Clerk's Office. This form is contained in the eviction form set. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Motion for Entry of Default by Clerk.
 - b. The landlord must present an Affidavit of Military Service with the Motion for Default to the Clerk's Office. This form is contained in the eviction form set. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Affidavit of Military Service. Military status may be checked using <https://scra.dmdc.osd.mil>.
 - c. **The landlord must file a Landlord CARES Act Information Sheet** and present a prepared proposed Default Final Judgment of Eviction with a sufficient number of copies of the proposed Default Final Judgment for mailing to the landlord and defendant. This form is contained in the eviction form set. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Default Final Judgment of Eviction. The landlord must include two (2) pre-addressed, pre-stamped business size envelopes for each plaintiff and for each defendant for mailing the executed Default Final Judgment. The envelope should reflect the landlord's return address. The landlord will be responsible for insufficient postage or re-execution of returned mail. If the landlord does not provide a proposed Default Final Judgment, the assigned Judge may not enter a Default Final Judgment, which will delay the progress of the case.
 - d. If the landlord is seeking additional costs as a result of the filing and service fees associated with the action, the landlord must file an Affidavit of Costs.
 - e. The landlord must present one (1) proposed Writ of Possession and one (1) pre-stamped/addressed envelope to return the Writ of Possession. This form is contained in the eviction form set. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Writ of Possession.
 - f. After entry of the Default, the deputy clerk will forward the proposed Default Final Judgment of Eviction to the assigned Judge. After entry of the Default Final Judgment of Eviction, the Clerk's Office will execute the Writ of Possession and forward it as indicated in section (f) of this section of these instructions.

- g. If a proposed Writ of Possession was not provided to the Clerk's Office, the landlord must monitor the progress of the case to determine when a Default Final Judgment has been entered, at which point the landlord may request issuance of a Writ of Possession. The Sheriff must serve a Writ of Possession.
 - i. The landlord must then either remit payment in the amount of \$90.00 for the Sheriff's service of the Writ to the Clerk's Office and the deputy clerk will forward the Writ and the fee directly to the Sheriff or the landlord may hand deliver the Writ and fee to the Sheriff. The Sheriff's fee must be remitted in cashier's check, money order, or business check payable to the Brevard County Sheriff. The Clerk's Office CANNOT accept cash for the Sheriff. If you wish to pay cash, you will be responsible for hand-delivering the Writ to the Sheriff's Office – Civil Processing Unit. The Sheriff will not accept personal checks.
 - ii. If the landlord does not remit the Sheriff's fee at the time of filing, the Writ will be sent directly to the landlord. If the landlord chooses not to submit the Sheriff's fee, he/she should submit a self-addressed stamped business size envelope for mailing. It will then be the landlord's responsibility to deliver the Writ of Possession to the Sheriff's Office – Civil Processing Unit for service.
 - iii. If the landlord chooses to personally pick up the Writ of Possession and hand deliver it to the Sheriff for service, the landlord must request this in writing and provide the deputy clerk with a contact name and telephone number.
- 2. If an answer is filed by the defendant within five (5) business days after service of the summons, if the defendant deposits rent into the Registry of the Court, or if the defendant files a Motion to Determine Rent:
 - a. The landlord must present a prepared proposed Final Judgment of Eviction with a sufficient number of copies of the proposed Final Judgment for mailing to the landlord and defendant. This form contained in the eviction form set. Blank forms are provided on our website at www.brevardclerk.us > Forms > Eviction > Final Judgment of Eviction. The landlord must include one (1) pre-addressed, pre-stamped business size envelope for the landlord and each defendant for mailing the executed Final Judgment. The envelope should reflect the landlord's return address. The landlord will be responsible for insufficient postage or re-execution of returned mail. If the landlord does not provide a proposed Final Judgment, the assigned Judge may not enter a Final Judgment, which will delay the progress of the case.
 - b. The landlord must also present one (1) proposed Writ of Possession. This form is contained in the eviction form set. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Writ of Possession.
 - c. The deputy clerk will forward the file to the assigned Judge for review to determine whether a Final Judgment of Eviction will be entered or whether a hearing will be scheduled.
 - i. If the court enters a Final Judgment of Eviction, the Judicial Assistant will mail a copy of the judgment to the landlord and to each defendant in the business size envelopes previously provided by the landlord. The Clerk's Office will execute

the Writ of Possession and forward it as indicated in section (1) (e) of this section of instructions.

- ii. If the court schedules a hearing, the Judicial Assistant will prepare a Notice of Court Event and mail a copy to the landlord and each defendant.
- d. If the defendant files a Motion to Determine Rent, the Motion will be forwarded to the Judge and the Judge will set a hearing.
- 3. If the tenant moves out prior to entry of a Final Judgment or an agreement is reached allowing the tenant to stay, the landlord must cancel a hearing if one has been scheduled and file an original Voluntary Dismissal. A blank form is provided on our website at www.brevardclerk.us > Forms > Eviction > Court Disposition. Additionally, the landlord must mail or deliver a copy of the Voluntary Dismissal to the defendant.

COUNT II

The landlord must directly contact the Judge's office to schedule a hearing for back rent and damages. Please note that a 20-Day summons must have been PERSONALLY SERVED on a defendant for the landlord to be entitled to a Count II Hearing for damages or back rent. The landlord must prepare his own Notice of Hearing and Final Judgment or have an attorney or paralegal assist him/her. The Clerk's Office does not have forms for Count II of the eviction process, however, the landlord may be able to utilize the Final Judgment form that is available on the Small Claims form page of our website at www.brevardclerk.us > Forms > Small Claims > Final Judgment.

MAILING ADDRESS

BREVARD COUNTY CLERK OF COURTS

PO BOX 219

TITUSVILLE, FL 32781-0219

TELEPHONE (321) 637-5413

5 Day 5/20 Day

Case Number: 05- - CC - -

Plaintiff:

E-Mail Address:

Plaintiff's Address:

City, State, Zip:

Telephone:

Defendant:

E-Mail Address:

Additional Defendants:

E-Mail Address:

Defendant's Address:

City, State, Zip:

Telephone:

Clerk's Name:

Date: month: _____ day: _____ year: 20 _____

Certificate of Mailing:

Plaintiff to be put into possession include address and telephone number:

Contact information for Sheriff if different than Plaintiff:

**IN THE COUNTY COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: EVICTIONS

CASE NUMBER: 05 - - CC - -

PLAINTIFF(S)

DEFENDANT(S)

**EVICTIION SUMMONS/RESIDENTIAL
5 DAY SUMMONS 5/20 DAY SUMMONS**

DEFENDANT TO BE SERVED:

You are being sued by _____
_____ to require you to move out of the place you are
living for the reasons in the attached complaint.

You are entitled to a trial to determine whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday, or any legal holiday) after the date these papers were given to you or to a person 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 (mailed or hand-delivered) to the Court Clerk at one of the following locations:

MAILING ADDRESS
CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL 32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780 TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

MELBOURNE - 51 S. NIEMAN AVENUE, MELBOURNE, FL 32901 TELEPHONE: (321) 637-5413 FAX: (321) 637-6549

MERRITT ISLAND - 2575 N. COURTENAY PKWY, MERRITT ISLAND, FL 32953 TELEPHONE: (321) 637-5413 FAX: (321) 637-6525

PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

CASE NUMBER: 05 - - CC - -

SUMMONS

2. Mail or take a copy or photocopy of your written reason(s) to:

Plaintiff

Address

City, State, Zip

3. Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. You may make this payment in cash, cashier's check, or money order ONLY. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.

IF YOU DO NOT DO ALL OF THESE THINGS SPECIFIED ABOVE WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT FURTHER NOTICE.

5. If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk of the Court at the address specified in paragraph one (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

TO 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.

WITNESS my hand and Official Seal on the _____ day of _____, 20 ____, in Brevard County, Florida.

BY _____
Deputy Clerk:

CASE NUMBER: 05 - - CC - - -

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the SUMMONS and COMPLAINT in this cause was sent by first class mail to the premises involved in this proceeding to the Defendant(s) as required by Sec. 48.183 F.S.

WITNESS my hand and Official Seal on the _____ day of _____, 20 _____, in Brevard County, Florida.

BY _____
Deputy Clerk:

Notificación de Desalojo/Residencial

A: _____
Demandado(s)

SIRVASE LEER CON CUIDADO

Usted está siendo demandado por _____
_____ para exigirle que desaloje el lugar donde reside por los motivos que se expresan en la demanda adjunta.

Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero ES NECESARIO que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriados) a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se colocaron en su casa.

USTED DEBERÁ HACER LO SIGUIENTE:

- (1) Escribir el (los) motivo(s) por el (los) cual(es) cree que no se le debe obligar a mudarse. El (Los) motivo(s) deberá(n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado.

MAILING ADDRESS
CLERK OF COURT
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TITUSVILLE 32781- 0219

SUMMONS

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL 32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

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(2) Envíar por correo o darle su(s) motivo(s) por escrito a:

Demandante

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adecuado, así como cualquier alquiler pagadero hasta que concluya el litigio. Puede pagar en efectivo, con cheque bancario, ó giro postal. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse, si usted presenta una moción, deberá adjuntarle a esta cualquier documentos que respalden su posicion, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.

(4) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio esté pendiente.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESOLOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.

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(5) Si la demanda adjunta tambien incluye una reclamación por daños y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted deberá responder a dicha reclamación por separado. Deberá exponer por escrito los motivos por los cuales considera que usted no debe la suma reclamada, y entregarlos al secretario del tribunal en la direccion que se especifica en el párrafo (1) anterior, así como envíar por correo ó entregar una copia de los mismos al demandante/abogado del demandante en la dirección que se especifica en el párrafo (2) anterior. Esto deberá llevarse a cabo en un plazo de 20 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted. Esta obligación es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se coloquen en su casa.

CITATION D' EVICTION/RESIDENTI ELLE A

Defenduer(s) _____

LISEZ ATTENTIVEMENT

Vous etes pousuivi par _____
_____ pour exiger que vous evacuez les lieux de votre
residence pour les raisons enumerees dans la plainte ci-dessous.

Vous avez droit a un proces pour determiner si vous devez demenager, mais vous devez, au prealable, suivre les instructions, enumerees ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un jour ferie) a partir de la date ou ces documents ont ete donnees a vous ou a la personne vivant avec vous, ou ont ete affichees a votre residence.

LISTE DES INSTRUCTIONS A SUIVRE:

- (1) Enumerer par ecrit les raisons pour lesquelles vous pensez ne pas avoir a demenager.
Elles doivent entre remises au clerc du tribunal.

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL
32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

MAILING ADDRESS
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TITUSVILLE 32781- 0219

SUMMONS

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(2) Envoyer ou donner une copie au:

Plaignant

Adresse

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers du jusgu' a la fin du proces. Si vous pensez que le montant etabli dans la plainte est incorrect, vous devez presenter au clerc du tribunal une demande en justice pour determiner la somme a payer. Pour cela vous devez attacher a la demande tous les documents soutenant votre position et faire parvenir une copie de la demande au plaignant/avocat du plaignant.

(4) Si vous faites une demande en justice pour determiner la somme a payer au clerc du tribunal, vous devrez immediatement prevenir le bureau de juge qui presidera au proces pour fixer la date de l' audience qui decidera quelle somme doit etre payee au clerc du tribunal pendant que le process est en cours.

SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE QU CES DOCUMENTS ONT ETE REMIS A VOUS OU A LA PERSONNE HABITANT AVEC VOUS, OU ONT ETE AFFICHES A VOTRE RESIDENCE, VOUS POUVEZ ETRE EXPULSES SANS AUDIENCE OU SANS AVIS PREALABLE

(5) Si la plainte ci-dessus contient une demande pour dommages pecuniaires, tels des loyers arrieres, vous devez y repondre separement. Vous devez enumerer par ecrit les raisons pour lesquelles vous estimez ne pas devoir le montant demande. Ces raisons ecrites doivent etre donnees au clerc du tribunal a l' adresse specifiee dans le paragraphe (1) et une copie de ces raisons donnee ou envoyee au avocat du plaignant a l' adresse specifiee dans le paragraphe (2). Cela doit etre fait dans les 20 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous. Cette obligation ne fait pas partie des instructions a suivre en reponse au proces d' eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence.

**IN THE COUNTY COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: EVICTIONS

CASE NUMBER: 05 - - CC - -

PLAINTIFF(S)

DEFENDANT(S)

**EVICTIION SUMMONS/RESIDENTIAL
5 DAY SUMMONS 5/20 DAY SUMMONS**

DEFENDANT TO BE SERVED:

You are being sued by _____
_____ to require you to move out of the place you are
living for the reasons in the attached complaint.

You are entitled to a trial to determine whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday, or any legal holiday) after the date these papers were given to you or to a person 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 (mailed or hand-delivered) to the Court Clerk at one of the following locations:

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CASE NUMBER: 05 - - CC - -

SUMMONS

2. Mail or take a copy or photocopy of your written reason(s) to:

Plaintiff

Address

City, State, Zip

3. Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. You may make this payment in cash, cashier's check, or money order ONLY. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.

IF YOU DO NOT DO ALL OF THESE THINGS SPECIFIED ABOVE WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT FURTHER NOTICE.

5. If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk of the Court at the address specified in paragraph one (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

TO 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.

WITNESS my hand and Official Seal on the _____ day of _____, 20 ____, in Brevard County, Florida.

BY _____
Deputy Clerk:

CASE NUMBER: 05 - - CC - - -

SUMMONS

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the SUMMONS and COMPLAINT in this cause was sent by first class mail to the premises involved in this proceeding to the Defendant(s) as required by Sec. 48.183 F.S.

WITNESS my hand and Official Seal on the _____ day of _____, 20 _____, in Brevard County, Florida.

BY _____
Deputy Clerk:

Notificación de Desalojo/Residencial

A: _____
Demandado(s)

SIRVASE LEER CON CUIDADO

Usted está siendo demandado por _____
_____ para exigirle que desaloje el lugar donde reside por los motivos que se expresan en la demanda adjunta.

Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero ES NECESARIO que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriados) a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se colocaron en su casa.

USTED DEBERÁ HACER LO SIGUIENTE:

- (1) Escribir el (los) motivo(s) por el (los) cual(es) cree que no se le debe obligar a mudarse. El (Los) motivo(s) deberá(n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado.

MAILING ADDRESS
CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

SUMMONS

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL 32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780 TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

MELBOURNE - 51 S. NIEMAN AVENUE, MELBOURNE, FL 32901 TELEPHONE: (321) 637-5413 FAX: (321) 637-6549

MERRITT ISLAND- 2575 N. COURTENAY PKWY, MERRITT ISLAND, FL 32953 TELEPHONE: (321) 637-5413 FAX: (321) 637-6525

PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

(2) Envíar por correo o darle su(s) motivo(s) por escrito a:

Demandante

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adecuado, así como cualquier alquiler pagadero hasta que concluya el litigio. Puede pagar en efectivo, con cheque bancario, ó giro postal. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse, si usted presenta una moción, deberá adjuntarle a esta cualquier documentos que respalden su posicion, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.

(4) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio esté pendiente.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESOLOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.

SUMMONS

(5) Si la demanda adjunta tambien incluye una reclamación por daños y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted deberá responder a dicha reclamación por separado. Deberá exponer por escrito los motivos por los cuales considera que usted no debe la suma reclamada, y entregarlos al secretario del tribunal en la direccion que se especifica en el párrafo (1) anterior, así como envíar por correo ó entregar una copia de los mismos al demandante/abogado del demandante en la dirección que se especifica en el párrafo (2) anterior. Esto deberá llevarse a cabo en un plazo de 20 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted. Esta obligación es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se coloquen en su casa.

CITATION D' EVICTION/RESIDENTI ELLE A

Defenduer(s) _____

LISEZ ATTENTIVEMENT

Vous etes pousuivi par _____
_____ pour exiger que vous evacuez les lieux de votre
residence pour les raisons enumerees dans la plainte ci-dessous.

Vous avez droit a un proces pour determiner si vous devez demenager, mais vous devez, au prealable, suivre les instructions, enumerees ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un jour ferie) a partir de la date ou ces documents ont ete donnees a vous ou a la personne vivant avec vous, ou ont ete affichees a votre residence.

LISTE DES INSTRUCTIONS A SUIVRE:

- (1) Enumerer par ecrit les raisons pour lesquelles vous pensez ne pas avoir a demenager.
Elles doivent entre remises au clerk du tribunal.

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL
32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

MAILING ADDRESS
CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

SUMMONS

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780

TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

MELBOURNE - 51 S. NIEMAN AVENUE, MELBOURNE, FL 32901 TELEPHONE: (321) 637-5413 FAX: (321) 637-6549

MERRITT ISLAND - 2575 N. COURTENAY PKWY, MERRITT ISLAND, FL 32953
TELEPHONE: (321) 637-5413 FAX: (321) 637-6525

PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

(2) Envoyer ou donner une copie au:

Plaignant

Adresse

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers du jusgu' a la fin du proces. Si vous pensez que le montant etabli dans la plainte est incorrect, vous devez presenter au clerc du tribunal une demande en justice pour determiner la somme a payer. Pour cela vous devez attacher a la demande tous les documents soutenant votre position et faire parvenir une copie de la demande au plaignant/avocat du plaignant.

(4) Si vous faites une demande en justice pour determiner la somme a payer au clerc du tribunal, vous devrez immediatement prevenir le bureau de juge qui presidera au proces pour fixer la date de l' audience qui decidera quelle somme doit etre payee au clerc du tribunal pendant que le process est en cours.

SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE QU CES DOCUMENTS ONT ETE REMIS A VOUS OU A LA PERSONNE HABITANT AVEC VOUS, OU ONT ETE AFFICHES A VOTRE RESIDENCE, VOUS POUVEZ ETRE EXPULSES SANS AUDIENCE OU SANS AVIS PREALABLE

(5) Si la plainte ci-dessus contient une demande pour dommages pecuniaires, tels des loyers arrieres, vous devez y repondre separement. Vous devez enumerer par ecrit les raisons pour lesquelles vous estimez ne pas devoir le montant demande. Ces raisons ecrites doivent etre donnees au clerc du tribunal a l' adresse specifiee dans le paragraphe (1) et une copie de ces raisons donnee ou envoyee au avocat du plaignant a l' adresse specifiee dans le paragraphe (2). Cela doit etre fait dans les 20 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous. Cette obligation ne fait pas partie des instructions a suivre en reponse au proces d' eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence.

**IN THE COUNTY COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: EVICTIONS

CASE NUMBER: 05 - - CC - -

PLAINTIFF(S)

DEFENDANT(S)

**EVICTIION SUMMONS/RESIDENTIAL
5 DAY SUMMONS 5/20 DAY SUMMONS**

DEFENDANT TO BE SERVED:

You are being sued by _____
_____ to require you to move out of the place you are
living for the reasons in the attached complaint.

You are entitled to a trial to determine whether you can be required to move, but you **MUST** do ALL of the things listed below. You must do them within 5 days (not including Saturday, Sunday, or any legal holiday) after the date these papers were given to you or to a person 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 (mailed or hand-delivered) to the Court Clerk at one of the following locations:

MAILING ADDRESS
CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL 32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780 TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

MELBOURNE - 51 S. NIEMAN AVENUE, MELBOURNE, FL 32901 TELEPHONE: (321) 637-5413 FAX: (321) 637-6549

MERRITT ISLAND - 2575 N. COURTENAY PKWY, MERRITT ISLAND, FL 32953 TELEPHONE: (321) 637-5413 FAX: (321) 637-6525

PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

CASE NUMBER: 05 - - CC - -

SUMMONS

2. Mail or take a copy or photocopy of your written reason(s) to:

Plaintiff

Address

City, State, Zip

3. Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and any rent that becomes due until the lawsuit is over. You may make this payment in cash, cashier's check, or money order ONLY. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.

IF YOU DO NOT DO ALL OF THESE THINGS SPECIFIED ABOVE WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT FURTHER NOTICE.

5. If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk of the Court at the address specified in paragraph one (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

TO 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.

WITNESS my hand and Official Seal on the _____ day of _____, 20 ____, in Brevard County, Florida.

BY _____
Deputy Clerk:

CASE NUMBER: 05 - - CC - - -

SUMMONS

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the SUMMONS and COMPLAINT in this cause was sent by first class mail to the premises involved in this proceeding to the Defendant(s) as required by Sec. 48.183 F.S.

WITNESS my hand and Official Seal on the _____ day of _____, 20 ____, in Brevard County, Florida.

BY _____
Deputy Clerk:

Notificación de Desalojo/Residencial

A: _____
Demandado(s)

SIRVASE LEER CON CUIDADO

Usted está siendo demandado por _____
_____ para exigirle que desaloje el lugar donde reside por los motivos que se expresan en la demanda adjunta.

Usted tiene derecho a ser sometido a juicio para determinar si se le puede exigir que se mude, pero ES NECESARIO que haga TODO lo que se le pide a continuación en un plazo de 5 días (no incluidos los sábados, domingos, ni días feriados) a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se colocaron en su casa.

USTED DEBERÁ HACER LO SIGUIENTE:

- (1) Escribir el (los) motivo(s) por el (los) cual(es) cree que no se le debe obligar a mudarse. El (Los) motivo(s) deberá(n) entregarse por escrito al secretario del tribunal en el Edificio de los Tribunales de Condado.

MAILING ADDRESS
CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

SUMMONS

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL 32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780 TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

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PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

(2) Envíar por correo o darle su(s) motivo(s) por escrito a:

Demandante

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como adecuado, así como cualquier alquiler pagadero hasta que concluya el litigio. Puede pagar en efectivo, con cheque bancario, ó giro postal. Si usted considera que el monto reclamado en la demanda es incorrecto, deberá presentarle al secretario del tribunal una moción para que el tribunal determine el monto que deba pagarse, si usted presenta una moción, deberá adjuntarle a esta cualquier documentos que respalden su posicion, y enviar por correo o entregar una copia de la misma al demandante/abogado del demandante.

(4) Si usted presenta una moción para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, deberá comunicarse de inmediato con la oficina del juez al que se le haya asignado el caso para que programe una audiencia con el fin de determinar el monto que deba pagarse al secretario del tribunal mientras el litigio esté pendiente.

SI USTED NO LLEVA A CABO LAS ACCIONES QUE SE ESPECIFICAN ANTERIORMENTE EN UN PLAZO DE 5 DIAS LABORABLES A PARTIR DE LA FECHA EN QUE ESTOS DOCUMENTOS SE LE ENTREGARON A USTED O A UNA PERSONA QUE VIVE CON USTED, O SE COLOQUEN EN SU CASA, SE LE PODRA DESOLOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.

SUMMONS

(5) Si la demanda adjunta tambien incluye una reclamación por daños y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted deberá responder a dicha reclamación por separado. Deberá exponer por escrito los motivos por los cuales considera que usted no debe la suma reclamada, y entregarlos al secretario del tribunal en la direccion que se especifica en el párrafo (1) anterior, así como envíar por correo ó entregar una copia de los mismos al demandante/abogado del demandante en la dirección que se especifica en el párrafo (2) anterior. Esto deberá llevarse a cabo en un plazo de 20 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted. Esta obligación es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 días a partir de la fecha en que estos documentos se le entregaron a usted ó a una persona que vive con usted, ó se coloquen en su casa.

CITATION D' EVICTION/RESIDENTI ELLE A

Defenduer(s) _____

LISEZ ATTENTIVEMENT

Vous etes pousuivi par _____
_____ pour exiger que vous evacuez les lieux de votre
residence pour les raisons enumerees dans la plainte ci-dessous.

Vous avez droit a un proces pour determiner si vous devez demenager, mais vous devez, au prealable, suivre les instructions, enumerees ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un jour ferie) a partir de la date ou ces documents ont ete donnees a vous ou a la personne vivant avec vous, ou ont ete affichees a votre residence.

LISTE DES INSTRUCTIONS A SUIVRE:

- (1) Enumerer par ecrit les raisons pour lesquelles vous pensez ne pas avoir a demenager.
Elles doivent entre remises au clerc du tribunal.

MOORE JUSTICE CENTER - 2825 JUDGE FRAN JAMIESON WAY MELBOURNE, FL
32940 TELEPHONE: (321) 637-5413 FAX: (321) 617-7311

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CLERK OF COURT
P. O. BOX 219
TITUSVILLE 32781- 0219

SUMMONS

TITUSVILLE - 400 SOUTH STREET, 2ND FLOOR, TITUSVILLE, FL 32780

TELEPHONE: (321) 637-5413 FAX: (321) 264-7702

MELBOURNE - 51 S. NIEMAN AVENUE, MELBOURNE, FL 32901 TELEPHONE: (321) 637-5413 FAX: (321) 637-6549

MERRITT ISLAND - 2575 N. COURTENAY PKWY, MERRITT ISLAND, FL 32953
TELEPHONE: (321) 637-5413 FAX: (321) 637-6525

PALM BAY - 450 COGAN DRIVE S.E., PALM BAY, FL 32909 TELEPHONE: (321) 637-5413 FAX: (321) 637-6526

(2) Envoyer ou donner une copie au:

Plaignant

Adresse

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers du jusgu' a la fin du proces. Si vous pensez que le montant etabli dans la plainte est incorrect, vous devez presenter au clerc du tribunal une demande en justice pour determiner la somme a payer. Pour cela vous devez attacher a la demande tous les documents soutenant votre position et faire parvenir une copie de la demande au plaignant/avocat du plaignant.

(4) Si vous faites une demande en justice pour determiner la somme a payer au clerc du tribunal, vous devrez immediatement prevenir le bureau de juge qui presidera au proces pour fixer la date de l' audience qui decidera quelle somme doit etre payee au clerc du tribunal pendant que le process est en cours.

SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE QU CES DOCUMENTS ONT ETE REMIS A VOUS OU A LA PERSONNE HABITANT AVEC VOUS, OU ONT ETE AFFICHES A VOTRE RESIDENCE, VOUS POUVEZ ETRE EXPULSES SANS AUDIENCE OU SANS AVIS PREALABLE

(5) Si la plainte ci-dessus contient une demande pour dommages pecuniaires, tels des loyers arrieres, vous devez y repondre separement. Vous devez enumerer par ecrit les raisons pour lesquelles vous estimez ne pas devoir le montant demande. Ces raisons ecrites doivent etre donnees au clerc du tribunal a l' adresse specifiee dans le paragraphe (1) et une copie de ces raisons donnee ou envoyee au avocat du plaignant a l' adresse specifiee dans le paragraphe (2). Cela doit etre fait dans les 20 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous. Cette obligation ne fait pas partie des instructions a suivre en reponse au proces d' eviction dans les 5 jours suivant la date ou ces documents ont ete presentes a vous ou a la personne habitant avec vous, ou affichees a votre residence.

**IN THE COURT IN THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA**

DIVISION:

CASE No.: 05 - - - -

PLAINTIFF/PETITIONER

CLOCK IN

DEFENDANT/RESPONDENT

MOTION FOR ENTRY OF DEFAULT BY CLERK

The Petitioner/Plaintiff, _____
moves the Clerk to enter a Default against the Respondent/Defendant, _____
_____.

(Signature of person submitting paper)

(Date)

Plaintiff's Name

Address

City State Zip

Telephone Number

E-Mail Address

I HEREBY CERTIFY that a true and correct copy of the above paper has been furnished by
U.S. Mail hand delivery telefax courier to _____
E-Mailed to _____, this ____ day of _____, 20__.

Signature of Plaintiff/Petitioner

IN THE

COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA

DIVISION:

CASE NUMBER: 05 - - CC - -

PLAINTIFF

CLOCK IN

DEFENDANT

DEFAULT FINAL JUDGMENT OF EVICTION

This cause coming before this Court on the Complaint for Removal of Tenant filed by the Plaintiff(s) and any response thereto filed by the Defendant(s), and the Court having reviewed the pleadings and having been otherwise advised in the premises, the Court finds as a matter of fact and concludes as a matter of law as follows:

Having been served with the said Complaint for Removal of Tenant alleging non-payment of rent under a residential lease or periodic tenancy, the Defendant(s) defaulted by failing to timely answer and/or by omitting to deposit timely in the registry of the Court the amount of the accrued rent, as required by Section 83.60(2), Florida Statutes.

Therefore, it is hereby ORDERED and ADJUDGED

that the Plaintiff(s) _____

recover from the defendant(s), _____

possession of the following described property in Brevard County, Florida:

_____.

upon rendition of this judgment, at _____ am pm on _____,
or as soon thereafter as practicable, upon twenty four hours notice conspicuously posted on the premises. The Clerk shall issue Writs of Possession forthwith.

DEFAULT FINAL JUDGMENT OF EVICTION

CASE NUMBER: 05 - - CC - -

The Plaintiff(s), _____

recover from the Defendant(s), _____

the sum of \$ _____ for costs, for which let execution issue. This judgment shall accrue interest at the annual rate designated by the Comptroller of the State of Florida.

It is further ORDERED and ADJUDGED that the parties are identified as follows:

The Plaintiff(s):

The Defendant(s):

ORDERED AND ADJUDGED on the _____ day of _____, 20____, in Brevard County, Florida.

JUDGE

DEFAULT FINAL JUDGMENT OF EVICTION

CASE NUMBER: 05 - - CC - -

Copies:

Plaintiff(s)

Name:

Address:

E-mail Address:

Name:

Address:

E-mail Address:

Defendant(s)

Name(s):

Email Address:

Address:

**IN THE COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: CIVIL

CASE NUMBER: 05 - - - -

PLAINTIFF

CLOCK IN

Address:

City / State / Zip:

Telephone Number:

DEFENDANT

WRIT OF POSSESSION

TO: The Sheriff of Brevard County, Florida:
THE STATE OF FLORIDA

YOU ARE COMMANDED to remove all persons from the following described property in
Brevard County, Florida:

and put the above name Plaintiff(s) in possession of it forthwith;
at _____ am pm on _____, or as soon thereafter as practicable;
upon twenty four hours notice conspicuously posted on the premises. The Plaintiff(s) to be put
in possession is/are:

WITNESS my hand and Official Seal on the _____ day of _____, 20____, in
Brevard County, Florida.

By _____ D.C.

Deputy Clerk:

Contact Information for Writ:

Brevard County Clerk of Courts

**IN THE COUNTY COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: EVICTIONS

CASE NUMBER: 05 -

- CC -

-

-

PLAINTIFF

v.

DEFENDANT

LANDLORD CARES ACT INFORMATION SHEET

I _____ (your name), state the following:

1. I am the Plaintiff in the above titled action.

2. I have filed an action to evict a tenant from real property located at _____ (street address of the property including, if applicable, unit number)

3. The real property listed above participates in the following programs (mark all that apply)

- ☐ Public housing (42 U.S.C. § 1437d)
- ☐ Section 8 Housing Choice Voucher program (42 U.S.C. § 1437t)
- ☐ Section 8 project-based housing (42 U.S.C. § 1437t)
- ☐ Section 202 supportive housing for the elderly (12 U.S.C. § 1701q)
- ☐ Section 811 supportive housing for people with disabilities (42 U.S.C. § 8013)
- ☐ Section 236 multifamily rental housing (12 U.S.C. § 1715z-1)
- ☐ Section 221(d)(3) Below Market Interest Rate (BMIR) housing (12 U.S.C §1715/(d))
- ☐ HOME Investment Partnerships (42 U.S.C. § 12741 et seq.)
- ☐ Housing Opportunities for Persons with AIDS (HOWPA) (42 U.S.C. § 12901 et seq.)
- ☐ McKinney-Vento Act homelessness programs (42 U.S.C. § 11360 et seq.)
- ☐ Section 515 rural rental housing (42 U.S.C. § 1485)
- ☐ Sections 514 and 516 farm labor housing (42 U.S.C. §§ 1484, 1486)
- ☐ Section 533 housing preservation grants (42 U.S.C. § 1490m)
- ☐ Section 538 multifamily rental housing (42 U.S.C. § 1490p-2)
- ☐ Low Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)

☐ Rural housing voucher program under section 542 of the Housing Act of 1949
(42USC§ 1490r)

☐ None of the above

4. The real property listed above has a federally backed mortgage loan or federally backed multifamily mortgage loan, which includes, but is not limited to, any loan made, insured, guaranteed, supplemented in any way by:

- The Federal Housing Administration (FHA)
- The Department of housing and Urban Development (HUD)
- Department of Veteran Affairs (VA)
- Department of Agriculture/Rural Housing Services (RHS)
- Fannie Mae or Freddie Mac

☐ Yes

☐ No

VERIFICATION

Under penalties of perjury, I declare that I have read the foregoing Landlord CARES Act information Sheet and that the facts stated in it are true.

Signature

CERTIFICATE OF SERVICE

I CERTIFY that I ___ mailed, ___ faxed and mailed, or ___ hand delivered a copy of this Landlord CARES Act Information sheet to the Defendant at

(insert address at which Tenant was served and fax number if sent by fax).

(Signature)
(Name)
(Street Address)
(City, State, Zip Code)
(Phone Number)

**IN THE COURT, EIGHTEENTH JUDICIAL CIRCUIT,
BREVARD COUNTY, FLORIDA**

DIVISION: _____ **CASE NUMBER: 05-** _____ - _____ - _____ - _____

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

AFFIDAVIT OF MILITARY SERVICE

I, _____, am the Plaintiff/Petitioner in this case.
To support my application for a default judgment against Defendant(s),

and to comply with the Servicemembers Civil Relief Act (SCRA) (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), I swear or affirm that the following information is true: **{Please choose only one}**

1. _____ I know of my own personal knowledge that the Defendant/Respondent **IS** on active duty in the military service of the United States.
2. _____ I know of my own personal knowledge that Defendant/Respondent **IS NOT** now on active duty in the military service of the United States, nor has the Defendant/Respondent been on active military service of the United States within a period of thirty (30) days immediately before this date. "Active Service" includes reserve members of the Army, Navy, Air Force, Coast Guard, and Marines who have been ordered to report for active duty and members of the Florida National Guard who have been ordered to report to active duty for a period of more than thirty (30) days.
3. _____ I have contacted the military services of the United States and the U.S. Public Health Service and have obtained certificates showing that the Defendant/Respondent **IS NOT** on active duty status. These certificates are attached.
4. _____ I have attempted to determine the military status of the Defendant/Respondent, but do not have sufficient information. I have no reason to believe that s/he is on active duty at this time. This is what I have done to determine whether or not Defendant/Respondent is on active duty in the United States military (must include details):

AFFIDAVIT OF MILITARY SERVICE

CASE NUMBER: 05- - - - -

5. _____ I am unable to determine the military status of the Defendant/Respondent.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Plaintiff/Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es):

STATE OF FLORIDA

COUNTY OF BREVARD

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

_____ Personally known

_____ Produced identification

_____ Type of identification produced _____.