

FORM 5

COMPLAINT FOR LANDLORD TO EVICT TENANTS

INSTRUCTIONS

Form 5 should be used if only eviction of the Tenant is sought. Form 5A should be used to evict the Tenant and recover damages (past due rent).

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT, IN AND FOR
_____ COUNTY, FLORIDA
[insert County in which rental property is located]

[insert name of Landlord]

Plaintiff,

CASE NO. _____

[insert case number assigned
by Clerk of the Court]

vs.

COMPLAINT FOR EVICTION

[insert name of Tenant]

Defendant.

_____/

Plaintiff, _____ [insert name of Landlord], sues Defendant,
_____ [insert name of Tenant] and alleges:

1. This is an action to evict a Tenant from real property in _____ [insert county in which the property is located] County, Florida.

2. Plaintiff owns the following described real property in the County:
_____ [insert legal or street description of the property including, if applicable, unit number].

3. Defendant has possession of the property under a (oral/written) agreement to pay rent of \$ _____ [insert rental amount] payable _____ [insert terms of rental payments, i.e., weekly, monthly, etc.]. A copy of the written agreement, if any, is attached as Exhibit "A."

4. Defendant failed to pay the rent due _____, 20__ [insert date of payment Tenant has failed to make].

5. Plaintiff served Defendant with a notice on _____, 20__ [insert date of notice], to pay the rent or deliver possession but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

Signature

Name of Landlord/Property Manager
(circle one)

Address

City, State, Zip Code

Phone Number

Approved for use under rule 10-2.1(a) of
the Rules Regulating The Florida Bar

The Florida Bar 2010

This form was completed
with the assistance of:

Name:

Address:

Telephone Number: