



PETITION: REPAIR AND REMEDY CASE

CASE NO. (court use only) _____ IN THE JUSTICE COURT, PCT. _____ BEXAR COUNTY, TEXAS

TENANT:

VS.

LANDLORD:

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1. COMPLAINT: Tenant files this petition against the above-named Landlord pursuant to Rule 509 of the Texas Rules of Civil Procedure and Section 92.0563 of the Texas Property Code because there is a condition in Tenants residential rental property that would materially affect the health or safety of an ordinary tenant
Information Regarding Residential Rental Property:

ADDRESS UNIT # CITY COUNTY STATE ZIP
landlord's Contact Information (to the extent known):

BUSINESS STREET ADDRESS UNIT # 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 # 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 is:

BUSINESS STREET ADDRESS UNIT # CITY COUNTY STATE ZIP PHONE NUMBER
 The name of Landlord's rent collector serving the residential rental property is

To Tenant's knowledge this is the rent collector contact information:

BUSINESS STREET ADDRESS UNIT # 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:

Tenant's rent is due on the _____ day of the _____ The rent is \$ _____ per

Tenant's rent _____ paid by the government _____ 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 months rent plus \$500

attorneys fees 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

PH #

Street Address

City

State

Zip

Instructions: The Servicemembers Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in the military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. If it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require plaintiff to file a bond in an amount approved by the court.

A person who makes or uses an affidavit under this Act knowing it to be false, may be fined or imprisoned or both. 50 U.S.C. App. 501 et seq. To obtain certificates of service or non-service under the Servicemembers' Civil Relief Act, you may access the public website: <https://www.dmdc.osd.mil/appj/scra/scraHome.do>. This website will provide the current active military status of an individual.

Military Status Affidavit

Case No. _____ § In the Justice Court of
_____ § "Dgzct County, Texas
Plaintiff §
vs. §
_____ § Precinct _____, Place _____
Defendant §

BEFORE ME, on this day personally appeared" _____,
who, under penalty of perjury, stated that the following facts are true:

I am the Plaintiff attorney of record for the Plaintiff in this proceeding.

_____, Defendant, **is not** in military service.

_____, Defendant, **is** in military service.

I know this because _____

_____.

I am unable to determine whether or not the Defendant is in military service.

Signed on _____

Signature
Printed Name: _____
Address: _____

Telephone: _____
Fax: _____
E-Mail Address: _____

THE STATE OF TEXAS " §

COUNTY OF DGZCT §

SWORN TO AND SUBSCRIBED BEFORE ME on _____.

Clerk of the Court

NOTARY PUBLIC, State of Texas