

Miami PSPI, LLC, any of its employees, and the Clerk's office cannot assist you in preparing eviction forms. If you do not understand or have any questions regarding the Forms attached, you must consult an attorney. Miami PSPI, LLS and/or the Clerk's Office cannot assist or help in preparing these forms.

### **EVICTON PROCESS (4 STEPS TO WRIT OF POSSESSION)**

#### **STEP 1: Serving or posting your NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT (A/K/A THREE-DAY NOTICE)**

The NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT is enclosed.

The NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT must be served or posted prior to filing and serving your eviction action. The NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT can either be served of the Defendants per Florida Statute 48.031 or it may be posted.

Serve/post your NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT. You can do this yourself or we can serve it for you for the service rates listed below. Wait three days after service/posting before proceeding to "Step Two."

#### **STEP 2: FILING**

Three days have elapsed, and if you wish to file your Eviction Action, you must provide the Clerk's office with the following completed documents, which you must have prepared in advance with the correct number of copies (see below).

Forms to be filed online or in person at the Clerk's Office. If you go to the Clerk's Office to file in-person:

FILING DOCS	COPIES FOR 1 DEFENDANT	COPIES FOR EACH EXTRA DEFENDANT
<b>CIVIL COVER SHEET</b>	4	4
Completed <b>NOTICE FROM LANDLORD TO TENANT, TERMINATION FOR FAILURE TO PAY RENT</b> Attach it to the Complaint as an exhibit.	1	1
Pick a Summons: <ul style="list-style-type: none"> <li>For residential Eviction: use <b>RESIDENTIAL EVICTION SUMMONS</b></li> <li>For commercial eviction use <b>SUMMONS, 5 DAY CORPORATE SERVICE</b></li> </ul>	4 <ul style="list-style-type: none"> <li>One original for you,</li> <li>a copy for you,</li> <li>a service copy and</li> <li>a copy to be mailed by the clerk.</li> </ul>	4 <ul style="list-style-type: none"> <li>One original for you,</li> <li>a copy for you,</li> <li>a service copy and</li> <li>a copy to be mailed by the clerk.</li> </ul>
Pick a Complaint:	1 Original, plus 3 copies	1 Original, plus 3 copies

<ul style="list-style-type: none"> <li>• <b>COMPLAINT FOR REMOVAL OF TENANT (FAILURE TO PAY RENT)</b></li> </ul> or <ul style="list-style-type: none"> <li>• <b>COMPLAINT FOR LANDLORD TO EVICT TENANTS FOR FAILURE TO COMPLY WITH LEASE (OTHER THAN FAILURE TO PAY RENT)</b></li> </ul>	<ul style="list-style-type: none"> <li>• One copy is served on the Defendant.</li> <li>• One copy is mailed to the Defendant by the Clerk's Office.</li> <li>• One copy is for your records.</li> </ul>	<ul style="list-style-type: none"> <li>• One copy is served on the Defendant.</li> <li>• One copy is mailed to the Defendant by the Clerk's Office.</li> <li>• One copy is for your records.</li> </ul>
A Stamped Envelope addressed to the Defendant with enough postage for one copy of all the forms.		
<b>VERIFICATION OF APPLICABILITY OF SECTION 4024 OF THE CARES ACT IN RESIDENTIAL EVICTIONS FOR NON-PAYMENT OF RENT (DECLARATION UNDER PENALTY OF PERJURY)</b>	1 Original, plus 3 copies <ul style="list-style-type: none"> <li>• One copy is served on the Defendant.</li> <li>• One copy is mailed to the Defendant by the Clerk's Office.</li> </ul> One copy is for your records.	1 Original, plus 3 copies <ul style="list-style-type: none"> <li>• One copy is served on the Defendant.</li> <li>• One copy is mailed to the Defendant by the Clerk's Office.</li> </ul> One copy is for your records.
\$185 filing fee (cash, check, credit card).		

**File the action nearest to the eviction location.  
Below are the Miami-Dade County Clerk's Offices**

Miami-Dade County Courthouse 73 West Flagler Street, Room 133 Miami, FL 33130	Joseph Caleb Center 5400 NW 22 Avenue, Room 205 Miami, FL 33142	North Dade Justice Center 15555 Biscayne Boulevard, Room 100 North Miami, FL 33160
Miami Beach District Court 1130 Washington Avenue, Room, 224 Miami Beach, FL 33139	Coral Gables District Court 3100 Ponce de Leon Boulevard, Room 100 Coral Gables, FL 33134	South Dade Justice Center 10710 SW 211 Street, Room 1200 Miami, FL 33189

### **STEP 3: SERVING THE PROCESS ON THE DEFENDANTS**

Now that you have filed your case, the Defendants must be served. You can use the Sheriff's office to serve the process, but we **STRONGLY** recommend you use our office to serve the Defendants. If you use us, you will have 24/7 access to our system, you will receive real-time status of your case, and we offer more personal service to you than the Sheriff's Office. Call us to serve your process; 305-285-4321. The following are our rates:

SERVICE	RATE	DAYS TO SERVE
ROUTINE	\$45.00	3-5 but we usually serve next day.
RUSH	\$85.00	Served by the next business day.
SAME-DAY	\$110.00	Same-Day.

#### **STEP 4: AFTER DEFENDANTS HAVE BEEN SERVED**

Five days after the Defendant(s) is/are served, you may have to file another set of forms if the Defendant does not file an ANSWER. If the Defendant does not file an ANSWER, you may use the following forms to obtain a WRIT OF POSSESSION. These forms are found in the packet. You may eFile or file in person. If you file in person, bring the following forms to the Clerk of Court:

<b>FORMS</b>	<b>NUMBERS OF COPIES</b>
LANDLORD AND TENANT AFFIDAVIT OF COST, NON-PAYMENT OF RENT AND NON-MILITARY AFFIDAVIT. You must verify that the defendant is/is not in the military. Suggested site: SCRA: <a href="https://scra-w.dmdc.osd.mil/scra/#/home">https://scra-w.dmdc.osd.mil/scra/#/home</a>	1 (Add 1 extra copy if you want a stamped copy for your records.)
MOTION FOR DEFAULT AND DEFAULT AFFIDAVIT (MUST BE NOTARIEZED).	1 (Add 1 extra copy if you want a stamped copy for your records.)
FINAL JUDGMENT FOR REMOVAL OF TENANT	3
WRIT OF POSSESSION	Original plus 2 copies
Stamped envelope addressed to you.	
Stamped envelope addressed to Defendant(s).	
\$115.00 check or money order payable to Miami-Dade County Clerk of Court. This is the fee for the Sheriff to serve the Writ Of Possession. The check must be from a Miami-Dade County banking institution and must have the name and address pre-printed from the bank.	

#### **NOTICE TO USERS OF THESE FORMS**

If there is any doubt in your mind concerning these forms, the use of the forms, or your legal rights, it is strongly recommended that the service of an attorney be obtained. If you do not know an attorney, you should contact the Lawyer Referral Service listed in the Yellow Pages of the telephone book. If you are financially unable to afford these services of an attorney, you should contact the Legal Aid Office in your area.

Because of the changing nature of the law, the forms and information about them may become outdated. Regardless of whether you discuss your case with a lawyer, you should research original sources of authority (statutes and Rules of Civil Procedure referenced in the instructions) to update and ensure accuracy of the forms.

In no event will Miami PSPI, LLC, the Florida Bar, and/or the Clerk of Courts or any one or any entity contributing to the production of these forms be liable for any direct, indirect, or consequential damages resulting from the use of these forms.

**NOTICE FROM LANDLORD TO TENANT**  
**TERMINATION FOR FAILURE TO PAY RENT**

DATE: \_\_\_\_\_

\_\_\_\_\_  
Tenant's Name

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:  
Tenant's Name

You are hereby notified that you are indebted to me in the sum of  
\$ \_\_\_\_\_ for the rent and use of the premises  
(Insert amount owed by tenant)

\_\_\_\_\_, Florida, now  
(insert address of leased premises, including county)

Occupied by you and that I demand payment of the rent or possession of the premises  
within three days (excluding Saturday, Sunday and legal holidays) from the date of  
delivery of this notice to-wit: on or before the \_\_\_\_ day of \_\_\_\_\_, 200\_\_

(insert the date which is three days from the delivery of this notice, excluding the date of  
delivery Saturday, Sunday and legal holidays).

\_\_\_\_\_  
(Landlord's Name)

Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: This notice may be delivered by mail or by delivering a copy to the property. This notice must be delivered, and the three day time period must run, before starting suit to evict the tenant or to recover past due rent.

Source: Section 83.56(3), Florida Statutes (1990)

"Approval for use under rule 10-1.1(b) of the rules regulating the Florida Bar

☐ IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

☐ IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

**DIVISION**

- ☐ CIVIL  
☐ DISTRICTS  
☐ FAMILY  
☐ OTHER

**CIVIL COVER SHEET**

**CASE NUMBER:** \_\_\_\_\_

**JUDGE** \_\_\_\_\_

**PLAINTIFF**

**VS. DEFENDANT**

**CLOCK IN**

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

**AMOUNT OF CLAIM**

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- ☐ \$8,000 or less  
☐ \$8,001 - \$30,000  
☐ \$30,001 - \$50,000  
☐ \$50,001 - \$75,000  
☐ \$75,001 - \$100,000  
☐ over \$100,000.00

**TYPE OF CASE** (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

**CIRCUIT CIVIL**

- ☐ Condominium  
☐ Contracts and indebtedness  
☐ Eminent domain  
☐ Auto negligence  
☐ Negligence - other  
    ☐ Business governance  
    ☐ Business torts  
    ☐ Environmental/Toxic Tort  
    ☐ Third party indemnification  
    ☐ Construction defect  
    ☐ Mass tort  
    ☐ Negligent security  
    ☐ Nursing home negligence  
    ☐ Premises liability - commercial  
    ☐ Premises liability - residential

- ☐ Products liability  
☐ Real property/Mortgage foreclosure  
    ☐ Commercial foreclosure  
    ☐ Homestead residential foreclosure  
    ☐ Non-homestead residential foreclosure  
    ☐ Other real property actions  
☐ Professional malpractice  
    ☐ Malpractice - business  
    ☐ Malpractice - medical  
    ☐ Malpractice - other professional

☐ Other

- ☐ Antitrust/Trade regulation  
☐ Business transactions  
☐ Constitution challenge-statute or ordinance  
☐ Constitution challenge-proposed amendment  
☐ Corporate trust  
☐ Discrimination-employment or other  
☐ Insurance claims  
☐ Intellectual property  
☐ Libel/Slander  
☐ Shareholder derivative action  
☐ Securities litigation  
☐ Trade secrets  
☐ Trust litigation

**COUNTY CIVIL**

- ☐ Civil  
☐ Real property/Mortgage foreclosure  
☐ Replevins  
☐ Evictions  
    ☐ Residential Evictions  
    ☐ Non-residential Evictions  
☐ Other civil (non-monetary)

## COMPLEX BUSINESS COURT

### REMEDIES SOUGHT (check all that apply):

- ☐ Monetary;
- ☐ Non-monetary declaratory or injunctive relief;
- ☐ Punitive

### NUMBER OF CAUSES OF ACTION: [     ]

(specify) \_\_\_\_\_  
\_\_\_\_\_

### IS THIS CASE A CLASS ACTION LAWSUIT?

- ☐ Yes
- ☐ No

### HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- ☐ No
- ☐ Yes If "Yes", list all related cases by name, case number, and court.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### IS JURY TRIAL DEMANDED IN COMPLAINT?

- ☐ Yes
- ☐ No

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature \_\_\_\_\_ Florida Bar # \_\_\_\_\_  
Attorney or party (Bar #, if attorney)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
Date

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET

Plaintiff must file this cover sheet with the first document filed in the action or proceeding (except small claims cases, probate, or family cases). Domestic and juvenile cases should be accompanied by a completed Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases. Failure to file a civil cover sheet in any civil case other than those excepted above may result in sanctions.

**I. Case Style.** Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of plaintiff(s) and defendant(s).

**II. Amount of Claim.** Enter the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

**III. Type of Case.** Place an "X" on the appropriate line. If the cause fits more than one type of case, select the most definitive. If the most definitive label is a subcategory (indented under a broader category label), place an "X" on the category and subcategory lines. Definitions of the cases are provided below in the order they appear on the form.

### Circuit Civil

(A) Condominium - all civil lawsuits pursuant to Chapter 718, Florida Statutes, in which a condominium association is a party.

(B) Contracts and indebtedness - all contract actions relating to promissory notes and other debts, including those arising from sale of goods, but excluding contract disputes involving condominium associations.

(C) Eminent domain - all matters relating to the taking of private property for public use, including inverse condemnation by state agencies, political subdivisions, or public service corporations.

(D) Auto negligence - all matter arising out of a party's allegedly negligent operation of a motor vehicle.

(E) Negligence-other - all actions sounding in negligence, including statutory claims for relief on account of death or injury, that are not included in other main categories.

(F) Business governance - all matters relating to the management, administration, or control of a company.

(G) Business torts - all matters relating to liability for economic loss allegedly caused by interference with economic or business relationships.

(H) Environmental/Toxic tort - all matters relating to claims that violations of environmental regulatory provisions or exposure to a chemical caused injury or disease.

(I) Third party indemnification - all matters relating to liability transferred to a third party in a financial relationship.

(J) Construction defect - all civil lawsuits in which damage or injury was allegedly caused by defects in the construction of a structure.

(K) Mass tort - all matters relating to a civil action involving numerous plaintiffs against one or more defendants.

(L) Negligent security - all matters involving injury to a person or property allegedly resulting from insufficient security.

(M) Nursing home negligence - all matters involving injury to a nursing home resident resulting from negligence of nursing home staff or facilities.

(N) Premises liability-commercial - all matters involving injury to a person or property allegedly resulting from a defect on the premises of a commercial property.

(O) Premises liability-residential - all matters involving injury to a person or property allegedly resulting from a defect on the premises of a residential property.

(P) Products liability - all matters involving injury to a person or property allegedly resulting from the manufacture or sale of a defective product or from a failure to warn.

(Q) Real property/Mortgage foreclosure - all matters relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property, including foreclosures associated with condominium associations or condominium units. (The amount of claim specified in Section II. of the form determines the filing fee pursuant to section 28.241, Florida Statutes.)

(R) Commercial foreclosure - all matters relating to the termination of a business owner's interest in commercial property by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property.

(S) Homestead residential foreclosure - all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has been granted a homestead exemption.

(T) Non-homestead residential foreclosure - all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has not been granted a homestead exemption.

(U) Other real property actions - all matters relating to land, land improvements, or property rights not involving commercial or residential foreclosure.

(V) Professional malpractice - all professional malpractice lawsuits.

(W) Malpractice-business - all matters relating to a business's or business person's failure to exercise the degree of care and skill that someone in the same line of work would use under similar circumstances.

(X) Malpractice-medical - all matters relating to a doctor's failure to exercise the degree of care and skill that a physician or surgeon of the same medical specialty would use under similar circumstances.

(Y) Malpractice-other professional - all matters relating to negligence of those other than medical or business professionals.

(Z) Other - all civil matters not included in other categories.

(AA) Antitrust/Trade regulation - all matters relating to unfair methods of competition or unfair or deceptive business acts or practices.

(AB) Business transactions - all matters relating to actions that affect financial or economic interests.

(AC) Constitutional challenge-statute or ordinance - a challenge to a statute or ordinance, citing a violation of the Florida Constitution.

(AD) Constitutional challenge-proposed amendment - a challenge to a legislatively initiated proposed constitutional amendment, but excluding challenges to a citizen-initiated proposed constitutional amendment because the Florida Supreme Court has directed jurisdiction of such challenges.

(AE) Corporate trust - all matters relating to the business activities of financial services companies or banks acting in a fiduciary capacity for investors.

(AF) Discrimination-employment or other - all matters relating to discrimination, including employment, sex, race, age, handicap, harassment, retaliation, or wages.

(AG) Insurance claims - all matters relating to claims filed with an insurance company.

(AH) Intellectual property - all matters relating to intangible rights protecting commercially valuable products of the human intellect.

(AI) Libel/Slander - all matters relating to written, visual, oral, or aural defamation of character.

(AJ) Shareholder derivative action - all matters relating to actions by a corporation's shareholders to protect and benefit all shareholders against corporate management for improper management.

(AK) Securities litigation - all matters relating to the financial interest or instruments of a company or corporation.

(AL) Trade secrets - all matters relating to a formula, process, device, or other business information that is kept confidential to maintain an advantage over competitors.

(AM) Trust litigation - all civil matters involving guardianships, estates, or trusts and not appropriately filed in probate proceedings.

#### **County Civil**

(AN) Civil – all matters involving claims ranging from \$8,001 through \$30,000 in damages, exclusive of interest, costs, and attorney fees.

(AO) Real property/Mortgage foreclosure-all matters involving claims up to \$30,000 relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property up to \$30,000, including associated with condominium associations or condominium units.

(AP) Replevins—all lawsuits pursuant to Chapter 78. Florida Statutes, involving claims up to \$30,000.

(AQ) Evictions-all matters involving the recovery of possession of leased land or rental property by process of law.

(AR) Other civil (non-monetary county civil matters that were not described in other county civil categories.

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**IV. Remedies Sought.** Place an "X" in the appropriate box. If more than one remedy is sought in the complaint or petition, check all that apply.

**V. Number of Causes of Action.** If the complaint or petition alleges more than one cause of action, note the number and the name of the cause of action.

**VI. Class Action.** Place an "X" in the appropriate box.

**VII. Related Cases.** Places an "X" in the appropriate box.

**VIII. Is Jury Trial Demanded In Complaint?** Check the appropriate box to indicate whether a jury trial is being demanded in the complaint.

**ATTORNEY OR PARTY SIGNATURE.** Sign the civil cover sheet. Print legibly the name of the person signing the civil cover sheet. Attorneys must include a Florida Bar number. Insert the date the civil cover sheet is signed. Signature is a certification that the filer has provided accurate information on the civil cover sheet, **and has read and complied with the requirements of Florida Rule of Judicial Administration 2.425.**



IN THE COUNTY COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI DADE COUNTY, FLORIDA

\_\_\_\_\_  
[insert name of Landlord]  
Plaintiff,

vs.

\_\_\_\_\_  
[insert name of Tenant]  
Defendant.  
\_\_\_\_\_ /

CIVIL DIVISION

Case No. \_\_\_\_\_  
[insert case number assigned by  
Clerk of the Court]

**VERIFICATION OF APPLICABILITY OF SECTION 4024 OF THE CARES ACT**  
**IN RESIDENTIAL EVICTIONS FOR NON-PAYMENT OF RENT**  
**(DECLARATION UNDER PENALTY OF PERJURY)**

My name is: \_\_\_\_\_  
*First Middle Last*

and I am the legal owner of the property that is the subject of the eviction case described at the top of this page. I am capable of making this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

**I verify that the property that is the subject of this eviction action (*check one*):**

☐ **is a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act.**

**or**

☐ **is not a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act.**

**(“covered dwellings” include property that is occupied by a tenant pursuant to a residential lease and has a Federally backed mortgage loan or a Federally backed multifamily mortgage loan, but see section 4024 of the CARES Act for a full definition of “covered dwelling,” a copy of which is attached to this form.)**

In this eviction action, Plaintiff is seeking to recover possession of the following property:

\_\_\_\_\_  
*Name of Apartment Complex (if any)*

\_\_\_\_\_  
*Street Address & Unit No. (if any) City County State ZIP*

FORM CONTINUED ON NEXT PAGE

If I have indicated above that this property is not a “covered dwelling” as defined by Section 4024(a)(1) of the CARES Act, the facts on which I base my conclusion are as follows.

*(Please identify which database or the other information you have used to determine that the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan.)*

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*(If the property does not have a federally backed mortgage loan or federally backed multifamily mortgage loan, please state whether (1) the property is a Low Income Housing Tax Credit (LIHTC) property, (2) the property is federally subsidized under any HUD program, or (3) the property leases to persons with Section 8 vouchers.)*

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**Declaration:** Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

\_\_\_\_\_  
[your signature]

\_\_\_\_\_  
[date signed]

\_\_\_\_\_  
[your printed name]

\_\_\_\_\_  
[your address]

A declaration filed pursuant to this Administrative Order is subject to Florida Statute section 92.525(3), which provides that a “person who knowingly makes a false declaration . . . is guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.” The Court may also find Plaintiff in contempt of Court and impose any additional sanctions it deems appropriate.

# CARES Act

## Public Law 116-136

### Sec. 4024 TEMPORARY MORATORIUM ON EVICTION FILINGS.

(a) DEFINITIONS.—In this section:

- (1) COVERED DWELLING.—The term “covered dwelling” means a dwelling that—
  - (A) is occupied by a tenant—
    - (i) pursuant to a residential lease; or
    - (ii) without a lease or with a lease terminable under State law; and
  - (B) is on or in a covered property.
- (2) COVERED PROPERTY.—The term “covered property” means any property that—
  - (A) participates in—
    - (i) a covered housing program (as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a))); or
    - (ii) the rural housing voucher program under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r); or
  - (B) has a—
    - (i) Federally backed mortgage loan; or
    - (ii) Federally backed multifamily mortgage loan.
- (3) DWELLING.—The term “dwelling”—
  - (A) has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602); and
  - (B) includes houses and dwellings described in section 803(b) of such Act (42 U.S.C. 3603(b)).
- (4) FEDERALLY BACKED MORTGAGE LOAN.—The term “Federally backed mortgage loan” includes any loan (other than temporary financing such as a construction loan) that —
  - (A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
  - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.
- (5) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term “Federally backed multifamily mortgage loan” includes any loan (other than temporary financing such as a construction loan) that—
  - (A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and
  - (B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(b) MORATORIUM.—During the 120-day period beginning on the date of enactment of this Act, the lessor of a covered dwelling may not-

- (1) make, or cause to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent or other fees or charges; or
- (2) charge fees, penalties, or other charges to the tenant related to such nonpayment of rent.

(c) NOTICE.—The lessor of a covered dwelling unit-

- (1) may not require the tenant to vacate the covered dwelling unit before the date that is 30 days after the date on which the lessor provides the tenant with a notice to vacate; and
- (2) may not issue a notice to vacate under paragraph (1) until after the expiration of the period described in subsection (b).



<b>EN EL TRIBUNAL DEL CONDADO EN Y PARA EL CONDADO MIAMI-DADE, FLORIDA</b>		
<b>DIVISION</b> <input type="checkbox"/> CIVIL <input type="checkbox"/> OTRA	<b>NOTIFICACION DE DESALOJO RESIDENCIAL</b>	<b>NUMERO DE CASO</b>
<b>DEMANDANTE(S)</b>	<b>VS. DEMANDADO(S)</b>	<b>HORA</b>

**SIRVASE LEER CON CUIDADO**

Usted esta 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 continuacion en un plazo de 5 dias (no incluidos los sabados, domingos, ni dias feriados) a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que viva con usted, o se colocaron en su casa.

**USTED DEBERA HACER LO SIGUIENTE:**

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

**“Para aquellas personas que no puedan pagar un abogado, la información sobre como solicitar asistencia legal gratuita se puede encontrar en [www.dadecountyprobono.org](http://www.dadecountyprobono.org).”**

**LOCALIDAD DE LOS TRIBUNALES DEL CONDADO DE MIAMI-DADE**

- |                                                                                                                              |                                                                                                                                  |                                                                                                                                 |                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Dade County Courthouse (05)<br>Room 138<br>73 West Flagler Street<br>Miami, Florida 33130           | <input type="checkbox"/> Joseph Caleb Center Court (20)<br>Suite 103<br>5400 N.W. 22nd Avenue<br>Miami, Florida 33142            | <input type="checkbox"/> North Dade Justice Center (23)<br>Room 100<br>15555 Biscayne Blvd.<br>North Miami Beach, Florida 33160 | <input type="checkbox"/> Hialeah District Court (21)<br>Room 100<br>11 East 6th Street<br>Hialeah, Florida 33010 |
| <input type="checkbox"/> Miami Beach District Court (24)<br>Room 200<br>1130 Washington Avenue<br>Miami Beach, Florida 33139 | <input type="checkbox"/> Coral Gables District Court (25)<br>Room 100<br>3100 Ponce De Leon Blvd.<br>Coral Gables, Florida 33134 | <input type="checkbox"/> South Dade Justice Center (26)<br>Room 1200<br>10710 S.W. 211th Street<br>Miami, Florida 33189         |                                                                                                                  |

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

Demandante/Abogado del Demandante \_\_\_\_\_  
 Direccion \_\_\_\_\_

(3) Pagarle al secretario del tribunal el monto del alquiler que la demanda adjunta reclama como aducado, asi como cualquier alquiler pagadero hasta que concluya el litigio. Si usted considera que el monto reclamado en la demanda es incorrecto, debera presentarle al secretario del tribunal una mocion para que el tribunal determine el monto que deba pagarse. Si usted presenta una mocion, debera adjuntarle a esta cualesquiera 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 mocion para que el tribunal determine el monto del alquiler que deba pagarse al secretario del tribunal, debera 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 este 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 DESALOJAR SIN NECESIDAD DE CELEBRAR UNA AUDIENCIA NI CURSARSELE OTRO AVISO.**

(5) Si la demanda adjunta tambien incluye una reclamacion por danos y perjuicios pecunarios (tales como el incumplimiento de pago del alquiler), usted debera responder a dicha reclamacion por separado. Debera 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 parrafo (1) anterior, asi como enviar por correo o entregar una copia de los mismos al demandante/abogado del demandante en la direccion que se especifica en el parrafo (2) anterior. Esto debera llevarse a cabo en un plazo de 20 dias a partir de la fecha en que estos documentos se le entregaron a usted o a una persona que vive con usted o a una persona que vive con usted. Esta obligacion es aparte del requisito de responder a la demanda de desalojo en un plazo de 5 dias 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.

**EL ESTADO DE LA FLORIDA:** A cada alguacil del Estado: Se le ordena que hagan entrega de esta notificacion y una copia de la demanda en este pleito al demandado(s) mencionado arriba. CON FECHA DE \_\_\_\_\_. 20\_\_\_\_\_.

COPIA DE LA DEMANDA Y NOTIFICACION FUE ENVIADA POR CORREO EL _____  POR: _____	<table style="width: 100%;"> <tr> <td style="width: 60%;"> <b>HARVEY RUVIN</b>            Secretario del Tribunal del Condado         </td> <td style="width: 40%; text-align: center;"> <b>SELLO DEL TRIBUNAL</b> </td> </tr> <tr> <td colspan="2">           POR: _____  <b>COMMO SECRETARIO DIPUTADO</b> </td> </tr> </table>	<b>HARVEY RUVIN</b> Secretario del Tribunal del Condado	<b>SELLO DEL TRIBUNAL</b>	POR: _____ <b>COMMO SECRETARIO DIPUTADO</b>	
<b>HARVEY RUVIN</b> Secretario del Tribunal del Condado	<b>SELLO DEL TRIBUNAL</b>				
POR: _____ <b>COMMO SECRETARIO DIPUTADO</b>					

**LEY PARA ESTADOUNIDENSES CON INCAPACIDADES**

**“Si usted es una persona minusválida que necesita hacer arreglos para poder participar en este proceso, usted tiene derecho, sin gasto alguno, a que se le provea cierta ayuda. Por favor póngase en contacto con Aliean Simpkins, el Coordinador de ADA en el Onceavo Distrito Judicial ubicado en el Lawson E. Thomas Courthouse Center, 175 NW 1st Ave, Sala 2400, Miami FL 33128, Teléfonos (305)349-7175; TDD (305) 349-7174, Correo electrónico [ADA@jud11.flcourts.org](mailto:ADA@jud11.flcourts.org) or Fax (305) 349-7355 por lo menos siete (7) días antes de la cita fijada para su comparecencia en los tribunales; o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de siete (7) días; si usted tiene discapacidad del oído o de la voz, llame al 711.”**

AU TRIBUNAL DE JUDGEMENT ET POUR LE DEPARTMENT DE MIAMI-DADE, FLORIDE		
<b>DIVISION</b> <input type="checkbox"/> CIVILE <input type="checkbox"/> AUTRE	<b>CITATION D'EVICITION RESIDENTIELLE</b>	<b>NUMERO DE CAS</b>
<b>PLAIGNANT(S)</b>	<b>VS. CONTRE ACCUSE(S)</b>	<b>HEURE</b>
<b>A (AUX) ACCUSE(S)</b>		<b>ADRESSE</b>

**S'IL VOUS PLAÎT LISEZ ATTENTIVEMENT**

Vous êtes poursuivi par \_\_\_\_\_ pour exiger que vous évacuez les lieux de votre résidence pour les raisons énumérées dans la plainte ci-dessous.

Vous avez droit à un procès pour déterminer si vous devrez déménager, mais vous devrez, au préalable suivre les instructions énumérées ci-dessous, pendant les 5 jours (non compris le samedi, le dimanche, ou un jour férié) à partir de la date où ces documents ont été donnés à vous ou à la personne vivant avec vous, ou ont été affichés à votre résidence.

**LISTE DES INSTRUCTIONS A SUIVRE:**

(1) Enumérer par écrit les raisons pour lesquelles vous pensez ne pas avoir à déménager. Vous devrez donner vos raisons par écrit au greffier du tribunal ☒ marquez ci-dessous:

**“Pour ceux qui ne peuvent payer un avocat, des informations sur la façon de demander de l'aide juridique gratuite peut être trouvée à [www.dadecountyprobono.org](http://www.dadecountyprobono.org)”**

**ADRESSES DES TRIBUNAUX EN MIAMI-DADE**

- |                                                                                                                              |                                                                                                                                  |                                                                                                                                     |                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Dade County Courthouse (05)<br>Room 138<br>73 West Flagler Street<br>Miami, Florida 33130           | <input type="checkbox"/> Joseph Caleb Center Court (20)<br>Suite 103<br>5400 N.W. 22nd Avenue<br>Miami, Florida 33142            | <input type="checkbox"/> North Dade Justice Center (23)<br>Room 100<br>15555 Biscayne Blvd.<br>North Miami Beach, Florida 33160     | <input type="checkbox"/> Hialeah District Court (21)<br>Room 100<br>11 East 6th Street<br>Hialeah, Florida 33010 |
| <input type="checkbox"/> Miami Beach District Court (24)<br>Room 200<br>1130 Washington Avenue<br>Miami Beach, Florida 33139 | <input type="checkbox"/> Coral Gables District Court (25)<br>Room 100<br>3100 Ponce De Leon Blvd.<br>Coral Gables, Florida 33134 | <input type="checkbox"/> South Dade Justice Center (26)<br>Room 1200<br>10710 S.W. 211 <sup>th</sup> Street<br>Miami, Florida 33189 |                                                                                                                  |

(2) Envoyer ou donner le courrier ou donnez une copie de vos raisons par écrit à:

Plaignant / Avocat du Plaignant \_\_\_\_\_  
 Adresse \_\_\_\_\_

(3) Payer au clerc du tribunal le montant des loyers dus comme établi dans la plainte et le montant des loyers dus jusqu' à la fin du procès. Si vous pensez que le montant établi dans la plainte est incorrect, vous devrez présenter au clerc du tribunal une demande en justice pour déterminer la somme à payer. Pour cela vous devrez attacher à 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 déterminer la somme à payer au clerc du tribunal, vous devrez immédiatement prévenir le bureau de juge qui présidera au procès pour fixer la date de l'audience qui décidera quelle somme doit être payée au clerc du tribunal pendant que le procès est en cours.

**SI VOUS NE SUIVEZ PAS CES INSTRUCTIONS A LA LETTRE DANS LES 5 JOURS QUE SUIVENT LA DATE OU 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 pécuniaires, tels des loyers arriérés, vous devrez y répondre séparément. Vous devrez énumérer par écrit les raisons pour lesquelles vous estimez ne pas devoir le montant demandé. Ces raisons écrites doivent être données au clerc du tribunal à l'adresse spécifiée dans le paragraphe (1) et une copie de ces raisons donnée ou envoyée au plaignant/avocat du plaignant à l'adresse spécifiée dans le paragraphe (2). Cela doit être fait dans les 20 jours suivant la date où ces documents ont été présentés à vous ou à la personne habitant avec vous, ou affichés à votre résidence. Cette obligation ne fait pas partie des instructions à suivre en réponse au procès d'éviction dans les 5 jours suivant la date où ces documents ont été présentés à vous ou à la personne habitant avec vous, ou affichés à votre résidence.

**L'ETAT DE LA FLORIDE:** A chaque sheriff de l'état vous êtes obligé de présenter cette citation et une photocopie de la plainte de ce document sur l'accusé (e) ci-dessus.

DATE LE \_\_\_\_\_, 20 \_\_\_\_.

<b>COPIE DE LA PLAINTÉ ET CITATION A ETE ENVOYEE DANS LE COURRIER LE _____</b>  <b>PAR: _____</b>	<div style="text-align: center;"> <b>HARVEY RUVIN</b>          Greffier du Tribunal       </div> <div style="text-align: right; margin-top: 20px;"> <b>SCEAU DEL TRIBUNAL</b> </div> <div style="text-align: center; margin-top: 20px;"> <b>Par: _____</b>  <b>COMME GREFFIER ADJOINT</b> </div>
---------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**ACT DE 1990 POUR AMERICAINS HANDICAPES  
AVIS DE L' ADA**

**“Si vous êtes une personne handicapée qui a besoin d’accommodement pour pouvoir participer à cette procédure, vous avez le droit, sans aucun coût, d’avoir de l’aide à votre disposition. S’il vous plaît contacter Alian Simpkins, le Coordinateur de l’ADA du Tribunal de l’Onzième Circuit Judiciaire, Lawson E. Thomas Courthouse Center, 175 NW 1<sup>st</sup> Ave. Suite 2400, Miami, FL. 33128, Téléphone (305) 349-7175; TDD (305) 349-7174, Email [ADA@jud11.flcourts.org](mailto:ADA@jud11.flcourts.org) or Fax (305) 349-7355 au moins sept (7) jours avant la date de comparution au tribunal, ou bien immédiatement après avoir reçu cet avis si la date avant la comparution est moins de sept (7) jours; si vous avez une incapacité pour entendre ou parler, appelez le 711.”**

<b>NAN TRIBUNAL E POU TRIBUNAL NAN MIAMI-DADE COUNTY, FLORIDA</b>										
<b>DIVIZYON</b> <input type="checkbox"/> CIVIL <input type="checkbox"/> LOT	<b>MANDA POU METE LOKATE DEYO</b>	<b>NIMEWO KA</b>								
<b>PLENTIF(S)</b>	<b>VS. KONT AKIZE(S)</b>	<b>LE</b>								
<b>AKIZE(S)</b>		<b>ADRES</b>								
<p style="text-align: center;"><b>SILVOUPLE LI SA A BYEN</b></p> <p>_____ Ap fe ou pwose pou soti nan kay kote ou abite a pou rezon sa yo ki nan plente lan.</p> <p>Ou gen mande pou yo fe yon jijman ki pou determine si yo ka oubyen si yo pa ka egzije soti nan kay la, men ou OBLUE fe tout sa ki ekri nan lis anba a. Depi yo te fin ba oumenan oubyen nenpot moun ki abite avek ou paye say yo, oubyen depi yo te afiche papye say yo lakay ou, yo apha w senk 5 jou pou fe tout sa, (sandi dimanch, nerpot jou konje pa konte).</p> <p><b>MEN KISA OU DWE FE</b></p> <p>(1) Ekri rezon ki fe w panse yo pa dwe fose w soti nan kay la. Ou fet pou prezante rezon sa yo alekri nan biwo sekrete tribunal la nan adres <input checked="" type="checkbox"/> tribunal ki paret anba a:</p> <p><b>“Pou moun ki pa an mezi peye pou pran yon avoka, yo kapab jwenn enfòmasyon sou kijan pou yo chèche jwenn assistans legal gratis nan <a href="http://www.dadecountyprobono.org">www.dadecountyprobono.org</a>.”</b></p> <p style="text-align: center;"><b>ADRES TRIBUNAL NAN MIAMI-DADE COUNTY</b></p> <table style="width: 100%;"> <tr> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> Dade County Courthouse (05)            Room 138            73 West Flagler Street            Miami, Florida 33130         </td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> Joseph Caleb Center Court (20)            Suite 103            5400 N.W. 22nd Avenue            Miami, Florida 33142         </td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> North Dade Justice Center (23)            Room 100            15555 Biscayne Blvd.            North Miami Beach, Florida 33160         </td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> Hialeah District Court (21)            Room 100            11 East 6th Street            Hialeah, Florida 33010         </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> Miami Beach District Court (24)            Room 200            1130 Washington Avenue            Miami Beach, Florida 33139         </td> <td style="vertical-align: top;"> <input type="checkbox"/> Coral Gables District Court (25)            Room 100            3100 Ponce De Leon Blvd.            Coral Gables, Florida 33134         </td> <td style="vertical-align: top;"> <input type="checkbox"/> South Dade Justice Center (26)            Room 1200            10710 S.W. 211<sup>th</sup> Street            Miami, Florida 33189         </td> <td></td> </tr> </table> <p>(2) Poste oubyen remet yon kopi rezon say o ba:            Plantif/avoka plantif la _____            Adres _____</p> <p>(3) Peye nan biwo sekrete tribinal la lajan lwaye ki nan plent lan, peye nenpot lajan lwaye ki bout jiskaske pwose jiskaske pwose a fini. Si ou kwe lajan yo mande nan plent lan pa korek., ou ta dwe prezante yon demann nan biwo sekrete tribinal la pou jij la ka determine konbyen ou gen pou peye. Si ou prezante demann nan, ou fet pou met ladan l nenpot dokiman ki ranfose pozisyon ou. Poste oubyen remet plantif la oubyen avoka plantif la yon kopi demann nan.</p> <p>(4) Si ou ranpli yon demann pou jij la determine kantite ou gen pou peye nan bino sekrete jeneral tribinal la, ou fet pou kontakte sekrete jij ki ap resevwa ka a imedyatman pou pran randevoli pou yon seyans kote ap determine konbyen kob ou gen peye pou nan biwo sekrete jeneral tribinal la pandan ke ou ap tann pwose a.</p> <p><b>ASI NAN SENK (5) JOU OU PA FE TOUT SA YO EKRI SPESIFIKMAN ANWO A, APRE YO TE FIN BA OUMENM OUBYEN YON MOUN KI ABITE ANSAMN AVEK OU PAPYE YO, OUBYEN APRE YO TE FIN AFICHE PAPYE YO LAKAY OU YO KA METE OU DEYO SAN PINOSE E SAN LOT NOTIFIKASYON.</b></p> <p>(5) Si nan plent lan yo masyone lajan pou domaj tankou lajan lwaye ki bout e ki poko peye, ou fet pou adrese demann sa a separeman. Ou fet pou ekri rezon ki fe w kwe ou pa dwe lajan y ap reklame a. Se nan adres tribinal ki paret nan paragraf an (1) ke ou fet poste oubyen ou fet pou remet plantif la oubyen avoka plantif la yon kopi ki gen rezon ou ekri yo, adres avoka plantif la yon kopi ki gen rezon ou ekri yo, adres plantif la (yo) oubyen adres avoka plantif la paret nan paragraf de (2). Ou gen ven (20) jou apre dat yo te fin ba oumenm oubyen yon moun ki abite ansanm avek ou papye yo oubyen apke yo te fin afiche papye sa yo lakay ou. Obligasyon sa a pa menm ak regleman ki te egzije ke ou reponn manda pou yo mete ou deyo nan kay la nan senk (5) jou apre yo te fin ba oumenm oubyen yon moun ki abite ansanm avek ou papye yo, oubyen apre yo te fin afiche papye yo lakay ou.</p> <p><b>ETA A FLORIDA:</b> Pou Chak Cherif nan eta a yo odone ou pou bay akize a (yo), non l ekri anwo a, manda sa a ak yon kopi plent yo pote nan pwose sa a.</p> <p>DATE LE _____, 20____.</p>			<input type="checkbox"/> Dade County Courthouse (05) Room 138 73 West Flagler Street Miami, Florida 33130	<input type="checkbox"/> Joseph Caleb Center Court (20) Suite 103 5400 N.W. 22nd Avenue Miami, Florida 33142	<input type="checkbox"/> North Dade Justice Center (23) Room 100 15555 Biscayne Blvd. North Miami Beach, Florida 33160	<input type="checkbox"/> Hialeah District Court (21) Room 100 11 East 6th Street Hialeah, Florida 33010	<input type="checkbox"/> Miami Beach District Court (24) Room 200 1130 Washington Avenue Miami Beach, Florida 33139	<input type="checkbox"/> Coral Gables District Court (25) Room 100 3100 Ponce De Leon Blvd. Coral Gables, Florida 33134	<input type="checkbox"/> South Dade Justice Center (26) Room 1200 10710 S.W. 211 <sup>th</sup> Street Miami, Florida 33189	
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<b>TE POSTE YON KOPI PLENT LAN AK MANDA LE</b> _____		<div style="text-align: center;"> <b>HARVEY RUVIN</b>            Sekrete Jeneral Tribinal La         </div> <div style="text-align: center; margin-top: 20px;">           _____  <b>SEKRETE</b> </div> <div style="text-align: center; margin-top: 20px;"> <b>SO</b>  <b>TRIBUNAL</b> </div>								

**LWA 1990 POU AMERIKEN KI ENFIM  
ANONS POU AMERIKEN KI ENFIM**

**“ Si vous êtes une personne handicapée qui a besoin d’accommodement pour pouvoir participer à cette procédure, vous avez le droit, sans aucun coût, d’avoir de l’aide à votre disposition. S’il vous plaît contacter Aliean Simpkins, le Coordinateur de l’ADA du Tribunal de l’Onzième Circuit Judiciaire, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave. Suite 2400, Miami, FL. 33128, Téléphone (305) 349-7175; TDD (305) 349-7174, Email [ADA@jud11.flcourts.org](mailto:ADA@jud11.flcourts.org) or Fax (305) 349-7355 au moins sept (7) jours avant la date de comparution au tribunal, ou bien immédiatement après avoir reçu cet avis si la date avant la comparution est moins de sept (7) jours; si vous avez une incapacité pour entendre ou parler, appelez le 711.”**

- ☐ IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.  
☐ IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

**DIVISION**

- ☐ CIVIL  
☐ DISTRICTS  
☐ OTHER

**SUMMONS**  
**5 DAY CORPORATE SERVICE**  
(SUMMARY PROCEDURE PURSUANT TO F.S. 51.011)

**CASE NUMBER**

**PLAINTIFF(S)/PETITIONER**

**VS. DEFENDANT(S)/RESPONDENT**

**CLOCK IN**

**THE STATE OF FLORIDA:**

To Each Sheriff of the State:

You ARE COMMANDED to serve this summons and copy of the complaint or petition in this action on defendant(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Each defendant is required to serve written defense to the complaint or petition on Plaintiff's Attorney: \_\_\_\_\_

whose address is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

within 5 days after service of this summons on that defendant, exclusive of the day of service, Saturdays, Sundays and legal holidays, and to file the original of the defenses with the Clerk of this Court either before service on Plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

**HARVEY RUVIN**  
**CLERK OF THE COURT**

BY: \_\_\_\_\_  
DEPUTY CLERK

**DATE**

**AMERICANS WITH DISABILITIES ACT OF 1990**

**ADA NOTICE**

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Aliean Simpkins, the Eleventh Judicial Circuit Court’s ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1<sup>st</sup> Avenue, Suite 2400, Miami, FL 33128; Telephone (305) 349-7175; TDD (305) 349-7174, Email [ADA@jud11.flcourts.org](mailto:ADA@jud11.flcourts.org); or via Fax at (305) 349-7355, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.”**



IN THE COUNTY COURT, IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

CASE NO.:

\_\_\_\_\_  
(insert name of landlord)

Plaintiff,

-VS-

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(insert name of tenants/defendant[s] )

**COMPLAINT FOR LANDLORD TO EVICT TENANTS FOR FAILURE TO  
COMPLY WITH LEASE (OTHER THAN FAILURE TO PAY RENT)**

Plaintiff, \_\_\_\_\_, sues Defendant, \_\_\_\_\_  
\_\_\_\_\_, and alleges:

1. This is an action to evict a tenant from real property in Miami-Dade County,  
Florida.

2. Plaintiff owns the following described real property in said County: \_\_\_\_\_  
\_\_\_\_\_.

3. Defendant has possession of the property under a (oral/written) agreement to pay  
rent of \$\_\_\_\_\_, payable \_\_\_\_\_. A  
(terms of agreement, weekly, monthly, etc.)  
copy of the written agreement, if any, is attached as Exhibit "A".

4. Plaintiff served Defendant with a notice on \_\_\_\_\_,  
giving written notice to the Defendant that the Defendant was in violation of the rent  
agreement. A copy of said notice, setting forth the violation of the rental agreement, is  
attached hereto as Exhibit "B".

5. Defendant has failed to correct or discontinue the conduct set forth in the above-  
mentioned notice.

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

\_\_\_\_\_  
Signature

Name, Address, and Telephone number of landlord:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN THE COUNTY COURT, IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

CASE NO.:

\_\_\_\_\_  
(insert name of landlord)

Plaintiff,

-VS-

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(insert name of tenants/defendant[s] )

**COMPLAINT EVICTION**

Plaintiff, \_\_\_\_\_, sues Defendant, \_\_\_\_\_  
\_\_\_\_\_, and alleges:

1. This is an action to evict a tenant from real property in Miami-Dade County, Florida.

2. Plaintiff owns the following described real property in said County: \_\_\_\_\_  
\_\_\_\_\_.

3. Defendant has possession of the property under a (oral/written) agreement to pay rent of \$ \_\_\_\_\_, payable \_\_\_\_\_. A  
(terms of agreement, weekly, monthly, etc.)

copy of the written agreement, if any, is attached as Exhibit "A".

4. Defendant has failed to pay rent due \_\_\_\_\_.  
(insert date of payment Tenant has failed to make)

5. Plaintiff served Defendant with a notice on \_\_\_\_\_ 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, Address, and Telephone number of  
landlord/property manager (Circle one).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY, FLORIDA.  
☐ IN THE COUNTY COURT IN AND FOR DADE COUNTY, FLORIDA.

**DIVISION**

☐ CIVIL  
☐ FAMILY  
☐ OTHER

**LANDLORD AND TENANT  
AFFIDAVIT OF COSTS, NON-PAYMENT OF RENT AND  
NON MILITARY AFFIDAVIT  
MOTION FOR DEFAULT AND DEFAULT**

**CASE NUMBER**

**PLAINTIFF(S)**

**VS. DEFENDANT(S)**

**CLOCK IN**

**AFFIDAVIT**

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_ who after being dully sworn, deposes and says:

1. That she/he is the plaintiff/authorized agent for the plaintiff herein. That no moneys have been accepted from or on behalf of the defendant(s) herein since the delivery, mailing or posting of the three day notice.
2. That the defendant(s) above named, (is) (are) not in the Military Service of the United States or any of its allies.
3. That the statements contained in the complaint for removal of tenant are correct and true.
4. Plaintiff incurred in the following costs in this action:

Filing fee \$ \_\_\_\_\_

Service of process fee \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

Sworn to and subscribed before me on \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_ County, Florida.

Notary/Deputy Clerk \_\_\_\_\_ Affiant: \_\_\_\_\_

Personally Know \_\_\_\_\_ or Produced I.D. \_\_\_\_\_ Type & No. \_\_\_\_\_

**MOTION FOR DEFAULT**

Plaintiff(s) move(s) for entry of a default by the clerk against defendant(s) \_\_\_\_\_ for failure to serve any paper on the undersigned or file any paper as required by law.

I do hereby certify that no copy of answer or other pleading of the Defendant(s) in the above styled cause has been served upon the Plaintiff(s) or his/her Attorney, to the time of filing the above Motion for Default.

**PLAINTIFF OR ATTORNEY**

**SIGNATURE**

**DATE**

**DEFAULT**

A Default is entered in this action against the Defendant(s) named in the foregoing Motion for failure to serve or file any paper as required by law.

**HARVEY RUVIN  
CLERK OF COURTS**

BY: \_\_\_\_\_  
DEPUTY CLERK

**DATE**

- ☐ IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY, FLORIDA.  
☐ IN THE COUNTY COURT IN AND FOR DADE COUNTY, FLORIDA.

**DIVISION**

- ☐ CIVIL  
☐ OTHER

**FINAL JUDGMENT FOR  
REMOVAL OF TENANT**

**CASE NUMBER**

**PLAINTIFF(S)**

**VS. DEFENDANT(S)**

**CLOCK IN**

This action was heard before the Court on Plaintiff's Complaint for Removal of Tenant(s). On the evidence presented

IT IS ADJUDGED

1. That a final judgment be entered in favor of the Plaintiff(s) \_\_\_\_\_

and against the Defendant(s) \_\_\_\_\_

\_\_\_\_\_ for possession of the premises located at and  
known as \_\_\_\_\_

\_\_\_\_\_, Dade County, Florida, for which let Writ of Possession issue.

2. That Plaintiff(s) recover from said Defendant(s) costs herein taxed in the sum of \$ \_\_\_\_\_

for which let execution issue.

ORDERED in Dade County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
JUDGE

- ☐ IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY, FLORIDA.  
☐ IN THE COUNTY COURT IN AND FOR DADE COUNTY, FLORIDA.

**DIVISION**

- ☐ CIVIL  
☐ FAMILY  
☐ OTHER

**WRIT OF POSSESSION**

**CASE NUMBER**

**PLAINTIFF(S)**

**VS. DEFENDANT(S)**

**CLOCK IN**

TO THE SHERIFFS OF THE STATE:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and to put the Plaintiff(s) in possession of it, after twenty-four (24) hours notice conspicuously posted on the premises.

HARVEY RUVIN  
CLERK OF COURTS

BY: \_\_\_\_\_

DEPUTY CLERK

DATE

Filed By

Address

Telephone No.