

**PETITION: REPAIR & REMEDY**

In the Justice Court, Precinct \_\_\_\_\_, Wilbarger County, Texas

CASE NO. \_\_\_\_\_

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

PLAINTIFF (Tenant) \_\_\_\_\_

VS:

DEFENDANT (Landlord) \_\_\_\_\_

**COMPLAINT:** Tenant files this petition against the above-named Landlord pursuant to Section 92.0563 of the Texas property Code because there is a condition in the Tenant’s residential rental property that would materially affect the health or safety of an ordinary Tenant. Information regarding the residential rental property:

Address: \_\_\_\_\_

Landlord contact information (address and phone number) \_\_\_\_\_

**SERVICE OF CITATION:** Check each statement that is true.

- Tenant received in writing the Landlord’s name and business street address.
- Tenant received in writing the name and business street address of Landlords management company.
- The name of the Landlord’s management company is \_\_\_\_\_ and to the Tenants knowledge, this is the on-premise manager’s contact information. \_\_\_\_\_

The Landlord’s rent collection location is \_\_\_\_\_  
And the point of contact is \_\_\_\_\_

**LEASE AND NOTICE:** Check each statement that is true.

- The lease is Oral  The lease is in writing  The requires the notice to repair or reedy a condition to be in writing  Tenat gave a written notice to reaire 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 and location when the notice was given) \_\_\_\_\_

**RENT:** At the time Tenant gave notice to repair and or remedy the condition. Tenant's rent was  current (no rent owed),  not current but Tenant offered to oay rent owed and Landlord did not accept it, or  not current and Tenant did not offer to pay the rent owed. Tenant's rent is due on the \_\_\_\_\_ day of the  month  week  \_\_\_\_\_ (specify any other rent-payment period). Tenant's rent (check one)  is not subsidized by the government  is subsidized by the government as follows, if known: \$ \_\_\_\_\_ paid by the government and \$ \_\_\_\_\_ paid by tenant.

**PROPRTY CONDITION:** Described the property condition materially affecting the physical health or safety of any ordinary tenant that Tenant seekd to have repaired or remedied:

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**RELIEF REQUESTING:** Tenant request the following relief:  a Court order to repair or remedy the condition,  a Court order reducing Tenant's rent (in the amount of \$ \_\_\_\_\_ to begin on \_\_\_\_\_),  actual damages in the amount of \$ \_\_\_\_\_,  a civil penalty of one month's rent plus \$500.00,  attorney's fees, and  court costs. Tenant states that the total relief requested does not exceed \$20,000.00, excluding interest and court costs but including attorney's fees.

\_\_\_\_\_  
Plaintiff's Printed Name

\_\_\_\_\_  
Signature of Plaintiff or Agent or Attorney

**Plaintiff's Information:**

Address \_\_\_\_\_

Phone & Fax Number \_\_\_\_\_

**Defendant(s) Information (if known)**

Full Name \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address \_\_\_\_\_

Driver license number \_\_\_\_\_

Phone number: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

