MARYANNE MORSE

Clerk of the Circuit Court and Comptroller
Seminole County

The eviction packet the Clerk's Office has available is strictly for non-payment of rent and only for residential property in Seminole County. Commercial evictions or evictions filed by Corporations are to be filed by an attorney. Only a property owner or their attorney may file an eviction suit. If you are evicting your tenant for any reason other than non-payment of rent, you may consult an attorney or visit our local law library to research the forms you will need, as we do not have them available.

Eviction Procedure:

1. Post the 3-day notice. (Make sure you make copies before posting as you will need copies when you file.)
2. When the time has passed, file your Eviction paperwork either at the Main Courthouse at 301 N. Park Ave., Sanford, FL, the East Branch located in the Wilshire Plaza at 376 Wilshire Blvd., Casselberry, FL or the West Branch located in the Oak Groves Shoppes at 995 SR 434 in Altamonte Springs, FL. Please call us at (407) 665-4361 so that we can tell you which forms you will need to file, the number of copies necessary, along with the filing fees and the Sheriff's fee.
3. Once your paperwork has been filed, the Clerk will issue the summons. There is a five-day summons for possession of the property and a 20-day summons for the rent due. If you are only filing for possession of the property, only a five-day summons will be issued. If all your paperwork is filed correctly and you follow the procedure, an eviction generally takes about 2-3 weeks.
4. There are more forms in the packet. Please keep these forms as you may need them later in the process.
5. There are some forms that you may not need to use as sometimes the tenant will move out before you complete the eviction process.
6. Please remember, the Clerk's Office is not trained in the law, nor do we know the law. We can only assist you procedurally in filing the paperwork.

If you have any further questions, please call us at (407) 665-4361.

Thank you.

CC1013.037

Post Office Box 8099 ♦ Sanford, Florida 32772-8099 ♦ (407) 665-4330 Voice ♦ (407) 330-7193 Facsimile

Clerk of the Circuit Court ♦ Clerk to the Board of County Commissioners ♦ Clerk of the County Court ♦ Comptroller

2016 LEGAL HOLIDAYS-
pursuant to Florida Rule of
Judicial Administration 2.514(6)(A)

New Year's Day, January 1.

Martin Luther King, Jr.'s Birthday, January 18.

*Spring Holiday, March 25.

Memorial Day, May 30.

Independence Day, July 4.

Labor Day, September 5.

*Rosh Hashanah, October 3.

*Yom Kippur, October 12

Veteran's Day, November 11.

Thanksgiving Day, November 24.

Friday After Thanksgiving, November 25.

*Chief Judge Holiday, December 23.

Christmas Day, December 26.

*Judicial Holidays-pursuant to Florida Rule
of Judicial Administration 2.514(6)(B)

2017 LEGAL HOLIDAYS-

pursuant to Florida Rule of
Judicial Administration 2.514(6)(A)

New Year's Day, January 2.

Martin Luther King, Jr.'s Birthday, January 16.

*Spring Holiday,April 14.

Memorial Day, May 29.

Independence Day, July 4.

Labor Day, September 4.

*Rosh Hashanah, September 21.

Veteran's Day, November 10.

Thanksgiving Day, November 23.

Friday after Thanksgiving, November 24.

Christmas Day, December 25.

*Chief Judge Holiday, December 26.

*Judicial Holidays-pursuant to Florida Rule
of Judicial Administration 2.514(6)(B)

CCb0816.002

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

To:	
	Tenant's Name
	Address
	City, State, Zip Code
From:	
Date:	

You are hereby notified that you are indebted to me in the sum of $_____ for the rent and use of the premises located at _____, Seminole County, Florida, now occupied by you and that I demand payment of the rent or possession of the premises within three days from the date of delivery of this notice to-wit: on or before the _____ day of _____, 20___ [Exclude the date of delivery, Saturday, Sunday and legal holidays].

_____
Signature

_____
Name of Landlord/Property Manager
[circle one]

_____
Address [street address where Tenant can deliver rent]

_____
City, State, Zip Code

_____
Phone Number

Hand Delivered On:_____

Posted On:_____

Approved for use under rule 10-2.1(a) of the Rules Regulating The Florida Bar (The Florida Bar 2010)

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO.: _____

COMPLAINT FOR TENANT EVICTION
(Non-Payment of Rent)

_____

_____
PLAINTIFF(S)/LANDLORD(S)

VS

_____

_____
DEFENDANT(S)/TENANT(S)

COUNT I

Plaintiff(s) sues Defendant(s) and alleges:

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

2. Plaintiff(s) own(s) the following described real property in said County:

   _____
   (Street Address, City, and State)

3. That the defendant(s) has/have possession of the premises under oral/written (attach copy) agreement to pay rent of $_____ per _____, to be paid on the _____day of each _____.

4. Defendant(s) failed to pay rent on _____, _____.

5. Plaintiff(s) served Defendant(s) with notice on _____, to pay the rent or deliver possession, but defendant(s) refuses to do so.

WHEREFORE Plaintiff(s) demands judgment for possession of the property.

COUNT II
(Suit to Recover Damages)

Plaintiff(s) sues Defendant(s) and alleges:

1. This is an action for damages in the amount of $_____ that is due for rent for the period of _____.

WHEREFORE, Plaintiff(s) demands judgment for damages against Defendant(s).

_____
Signature of Plaintiff(s) or Attorney

_____
Address

_____
City, State, Zip Code

_____
Telephone Number (Include Area Code)

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO. _____

EVICTION SUMMONS/RESIDENTIAL

_____

_____

PLAINTIFF(S)/LANDLORD(S)

VS

_____

_____

DEFENDANT(S)/TENANT(S)

TO: _____

DEFENDANT(S)/TENANT(S)

_____

STREET ADDRESS

_____

CITY, STATE, ZIP

PLEASE READ CAREFULLY

You are being sued by _____ to require you to move out of the place where you are living for the reasons given 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 to the Clerk of the Court, County Civil Division at the Seminole County Courthouse, 301 N. Park Avenue, Sanford, Florida 32771-1292.

(2) Mail or give a copy of your written reason(s) to:

_____

Plaintiff/Plaintiff's Attorney

_____

Mailing 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. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of the 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 THE 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 A HEARING OR 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 (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.

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.

DATED on _____, _____.

Maryanne Morse
Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk

NOTIFICACION DE DESALOJO/RESIDENCIAL

A _____:

_____

_____
Demandado(s)

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 vive 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 mudarse. El (Los) motivo(s) debera(n) entregarse por escrito al secretario del tribunal en el _____ County Courthouse.

_____

_____, Florida.

(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 adeudado, 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 daños 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. 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.

CITATION D'EVICTION/RESIDENTIELLE

A _____:

_____

_____

Defendeur(s)

LISEZ ATTENTIVEMENT

Vous tes poursuivi 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 donnes a vous ou a la personne vivant avec vous, ou ont ete affiches 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 etre remises au clerc du tribunal a _____ County Courthouse.

_____

_____, Florida.

(2) Envoyer ou donner une copie au:

_____

Plaignant/Avocat du Plaignant

_____

_____

Adresse

(3) Payer au clerc du tribunal le montant des loyers dus comme etabli dans la plainte et le montant des loyers dus jusqu'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 proces 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 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 plaignant/avocat du plaignant a l'adresse specifiee dans le paragraphe (2). Cela doit etre fait dans le 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 response 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 affiches a votre residence.

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO. _____

_____
PLAINTIFF(S)/LANDLORD(S)

VS

_____
DEFENDANT(S)/TENANT(S)

MOTION FOR DEFAULT

Plaintiff(s) moves 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 as to ____ Count I (Possession), ____ Count II (Damages).

_____
Signature of Plaintiff(s) or Attorney

_____
Address

_____
City, State Zip Code

_____
Telephone (Include Area Code)

_____
Email Address

DEFAULT

A default is entered in this action against the Defendant(s) named in the foregoing motion as to ____ Count I (Possession), ____ Count II (Damages), for failure to serve or file any paper as required by law.

Dated on _____.

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

(SEAL)

BY: _____
DEPUTY CLERK

CC0913.005

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO. _____

_____
PLAINTIFF(S)/LANDLORD(S)

VS

_____
DEFENDANT(S)/TENANT(S)

MOTION FOR DEFAULT
(For Failure to Deposit Money into the Court Registry)

Plaintiff(s) moves for entry of a default by the Court against Defendant(s) _____

_____, for failure to deposit money into the Court Registry as required by law as to Count I (Possession).

_____
Signature of Plaintiff(s) or Attorney

_____
Address

_____
City, State Zip Code

_____
Telephone (Include Area Code)

_____
Email Address

DEFAULT

A default is entered in this action against the Defendant(s) named in the foregoing motion as to Count I (Possession), for failure to deposit money into the Court Registry as required by law.

Dated on _____.

(SEAL)

BY: _____
COUNTY JUDGE

CC0913.021

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO. _____

_____

_____
PLAINTIFF(S)/LANDLORD(S)

VS

FINAL JUDGMENT FOR POSSESSION
(COUNT I)

_____

_____
DEFENDANT(S)/TENANT(S)

_____

_____
Address

Last four digits of SSN: _____

This cause coming on to be heard this day upon Plaintiff's Tenant Eviction Complaint, the Court finds that:

_____ The Plaintiff(s) is/are entitled to possession of the property as set forth in said Complaint, and the Defendant(s) has/have failed to move as required by law from said property,

_____ A Default has been duly entered against the Defendant(s), and the Plaintiff(s) is/are entitled to possession of the property as set forth in said Complaint, and the Defendant(s) has/have failed to move as required by law from said property.

It is, therefore,

ORDERED AND ADJUDGED:

1. That Final Judgment be and the same is hereby entered in favor of the Plaintiff(s), _____,
   _____, against Defendant(s),
   _____,
   for possession of the premises located at: _____
   _____,
   for which let Writ of Possession issue.
2. That Plaintiff(s) recover from said Defendant(s) costs herein taxed in the sum of $_____,
   that shall bear interest at the rate of _____ percent a year, for which let execution issue.

ORDERED at Sanford, Seminole County, Florida on _____.

_____
COUNTY JUDGE

Copies furnished to:

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO. _____

_____

_____

PLAINTIFF(S)/LANDLORD(S)

VS

_____

_____

DEFENDANT(S)/TENANT(S)

WRIT OF POSSESSION
(Removal of Tenant)

_____

PLAINTIFF(S)/LANDLORD(S) TELEPHONE NO.

THE STATE OF FLORIDA:
TO THE SHERIFF OF SEMINOLE COUNTY, FLORIDA

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

(Street Address)

_____

(City, State)

and to put _____ in possession of it.
PLAINTIFF(S)/LANDLORD(S)

DATED ON _____.

MARYANNE MORSE
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

(SEAL)

BY: _____
DEPUTY CLERK