PETITION – REPAIR & REMEDY

CAUSE NO. _____

TENANT: _____
VS
LANDLORD: _____

IN THE JUSTICE COURT
PRECINCT 3 PLACE 1
WICHITA COUNTY TX

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 Section 92.0563 of the Texas Property Code because there is a condition in Tenant's residential rental property that would materially affect the health or safety of an ordinary Tenant.

Information Regarding Residential Rental Property:
_____
Street Address Unit No. (if any) City County State Zip

Landlord's Contact Information (to the extent known):
_____
Business Street Address Unit No. (if any) City County State Zip Phone Number

2. SERVICE OF CITATION: Check 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 No. (if any) City County State Zip Phone Number
( ) The name of Landlord's on-premises manager is _____. To Tenant's knowledge, this is the on-premise manager's contact information:
_____
Business Street Address Unit No. (if any) 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's contact information:
_____
Business Street Address Unit No. (if any) City County State Zip Phone Number

3. LEASE AND NOTICE: Check 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 ( ) current (no rent owed), ( ) not current but Tenant offered to pay the 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). The rent is $_____ per ( ) 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.

5. PROPERTY CONDITION: Describe the property condition materially affecting the physical health or safety of any 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 month's rent plus $500.00, ( ) attorney's fees, and ( ) court costs. Tenant states that the total relief requested does not exceed $10,000.00, excluding interest and court costs but including attorney's fees.

Tenant Signature: _____ Date: _____

Street Address: _____

City, State, Zip: _____

Phone No.: _____