

Brandon J. Patty

Clerk of the Circuit Court and
Comptroller



Mark P. Miner

Chief Deputy Clerk

**Clerk of the Circuit Court
and County Comptroller
St. Johns County, Florida**

2 COUNT EVICTION INSTRUCTIONS
(For Residential Use Only)

NOTE: Property Owners may authorize a Property Manager or another person to act as their agent. If a corporation intends to file an eviction, please refer to the Florida Statutes as to who can appear. This written authorization will allow the agent to complete the necessary documents to evict a tenant; this includes posting the three (3) Day Notice; filing the Complaint Form and Motion for Default. If a hearing is scheduled, it may be required that the owner or owner's attorney appear at the hearing.

1. Complete Landlord(s) and Tenant(s) Name (**Fill in all blank spaces**).
2. Indicate the complete physical location of the property from which the tenant(s) is/are to be evicted (**Including lot numbers; unit numbers, city, state, and zip**).
3. Indicate how Defendant(s) came in possession of property (circle either **written or oral**); enter the amount of rent that is due per month and the date this rent is due.
4. Indicate the date the notice was served on the Defendant(s) and the date to deliver possession.
5. The Landlord/Agent shall not accept any money after the Eviction has been filed. Please direct Defendant(s) to the Clerk's Office for more information.
6. The eviction suit shall be accompanied by:
 - a. The three (3) day notice and a copy of any written rental agreement, if any.
 - b. In addition to the original set of documents for the court file, we will need two (2) copies of all documents filed for each defendant you are evicting. (Do not include children).
 - c. Please provide addressed, stamped envelopes for each Defendant being evicted.
7. The Sheriff's Office fee for service of the eviction summons is **\$40.00** per Defendant. The Sheriff's Office service fee may be included with the Clerk's fees due at the time of filing. **THIS TYPE OF EVICTION IS SUBJECT TO PERSONAL SERVICE; BE AWARE THIS MAY PROLONG THE EVICTION PROCESS.**
 - a. If personal service is not effected initially, please contact our office for an additional summons to be issued. The additional summons will require the \$40.00 sheriff's office fee and the \$10.00 clerk summons issuance fee.
8. Filing fees for this action are attached; please note that the fee for filing depends on the amount of back rent you are suing for. When suing for back rent, do not include late fees, utilities, etc.
9. If Judgment for Possession is granted, a Writ of Possession can be issued upon payment of the **\$90.00** Sheriff.

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

CASE NO.:
DIVISION:

Plaintiff(s),

v.

Defendant(s),

**COMPLAINT FOR EVICTION OF TENANT FOR
NON-PAYMENT OF RENT and ACTION FOR RENT
COUNT I**

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

1. This is an action to evict a tenant from real property located in St. Johns County, Florida.
2. Plaintiff owns the following described real property in said county:

3. Defendant(s) has possession of the property under a (Written/Oral) agreement to pay rent in the amount of \$ _____ on the _____ day of each month/week.

4. On _____, 20____, rent in the amount of \$ _____ was past due and unpaid by Defendant(s). A copy of any written agreement being attached hereto.

5. Plaintiff served notice to the Defendant(s) on _____; directing Defendant(s) to pay the past due rent or the Defendant(s) was/were to vacate the premises and deliver possession of said premises to the Plaintiff on or before _____. That Defendant(s) holds over and continues in possession of said premises after the expiration of notice without permission of Plaintiff. A true copy of the Notice to Pay Rent is attached hereto.

COUNT II

1. Plaintiff(s) reiterates and re-alleges Paragraphs 1, 2, and 3 and Count I.
2. The Defendant(s) owes the Plaintiff rent in the amount of \$_____.

WHEREFORE, Plaintiff demands Judgment for Possession of said property against Defendant(s) and removal of Defendant(s).

Plaintiff / Agent Signature and Date

Address

Phone Number and Email Address

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

CASE NO.:
DIVISION:

Plaintiff(s),

v.

Defendant(s),

AFFIDAVIT OF DAMAGES

STATE OF FLORIDA
COUNTY OF SAINT JOHNS:

BEFORE ME, the undersigned authority, personally appeared _____ who
being first duly sworn, states as follows:

1. I am ____ the Plaintiff or ____ the Plaintiff's agent [check appropriate response] in the case and am authorized to make this affidavit.
2. This affidavit is based on my own personal knowledge.
3. Defendant(s) has possession of the property which is the subject of this eviction under an agreement to pay rent of \$_____ [rental amount] per _____ [week, month, or other payment period].
4. Defendant(s) has not paid the rent due since _____ [date of payment Tenant has failed to make].
5. Defendant(s) owes Plaintiff \$ _____ [past due rent amount] as alleged in the Complaint.

Plaintiff / Agent Signature and Date

Address

Telephone Number and Email Address

Sworn and subscribed before me on _____ [date], by _____
[name], who _____ is personally known to me / _____ produced _____
[document] as identification and who took an oath.

NOTARY PUBLIC or DEPUTY CLERK

Name: _____

Commission No. _____

My Commission Expires: _____

SCHEDULE OF FEES

All Filing Fees and Sheriff's Office service fees are due at the time of filing your suit.

Filing Fees are made payable to: **Clerk of Courts** and may be paid for by Local Business or Personal Check, Money Order, Cashier's Check, Cash, and MasterCard or Visa.

THE CLERK DOES NOT ACCEPT OUT-OF-STATE PERSONAL CHECKS

EVICTION - POSSESSION ONLY:	\$185.00
EVICTION WITH DAMAGES UP TO \$2,500.00:	\$185.00
EVICTION WITH DAMAGES \$2,500.00 to \$5,000.00:	\$300.00
SUMMONS ISSUANCE FEE PER DEFENDANT:	\$10.00

SHERIFF OFFICE SERVICE FEES

SERVICE OF SUMMONS PER DEFENDANT:	\$40.00
-----------------------------------	---------

For your convenience, the Clerk of Court will accept personal checks for the filing fees and the Sheriff's Office summons service fees.

POST-JUDGMENT SHERIFF OFFICE SERVICE FEES

WRIT OF POSSESSION:	\$90.00*
---------------------	----------

*This fee is paid *after* the judgment has been entered.

The Small Claims / Eviction Department cannot give legal advice to you or interpret the law for you. Information on evictions may be obtained from the Florida Statutes Chapter 83, located at www.leg.state.fl.us