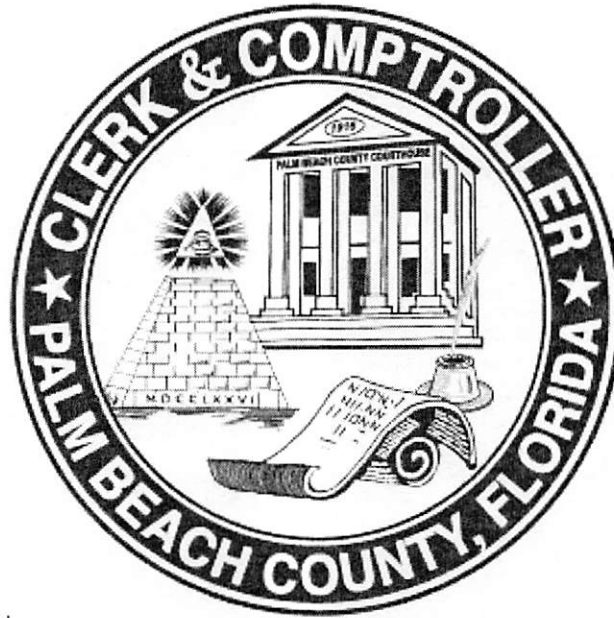


**Sharon R. Bock**  
**CLERK & COMPTROLLER**  
**SELF SERVICE CENTER**

**Your Guide Through The Courts**



**Packet #66**

*Revised 01/2015*

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

**NON-REFUNDABLE**

**(32 PAGES)**

**\$10.00**

## SELF SERVICE CENTER SERVICES

All instructions and forms distributed by the Clerk & Comptroller are provided as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist *pro se* (self-represented) litigants with their cases. Any person using these instructions and/or forms does so at his or her own risk, and the Clerk shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

Attorney Consultation*	\$15.00/15 minutes
Attorney Consultation*	\$30.00/30 minutes
Attorney Consultation*	\$60.00/60 minutes
Deputy Clerk Signing	\$3.50/signature
Notary signing	\$10.00/signature
Copies prior to filing	\$.15/page
Single Forms	\$1.00/page
Fax Services	\$1.00/page
Community Resource Referral- pamphlets	NO FEE

\* Attorneys do not provide legal advice - will assist on procedural matters/filling out legal forms

**\*\*FEES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\***

You may file and obtain information at the following locations:

Palm Beach County Courthouse  
205 N. Dixie Highway, Rm #2.2200  
West Palm Beach, Florida 33401  
561-355-7048

North County Courthouse  
3188 PGA Blvd  
Palm Beach Gardens, Florida 33410  
561-624-6650

South County Courthouse  
200 W. Atlantic Ave.  
Delray Beach, Florida 33444  
561-274-1588

West County Courthouse  
2950 State Road 15, Rm. #S-100  
Belle Glade, Florida 33430  
561-996-4843

*The Self Service Information Line*

*Unified Family Court Dept. (for information regarding an existing case)*

*Visit us at our web site*

*Legal Aid Society (if you can't afford an attorney)*

*Lawyer Referral Service of the PBC Bar Association*

(561) 355-7048

(561) 355-6511

[www.mypalmbeachclerk.com](http://www.mypalmbeachclerk.com)

(561) 655-8944

(561) 687-3266

Revised 05/2013

# LANDLORD TENANT EVICTION FOR FAILURE TO COMPLY WITH RENTAL AGREEMENT (OTHER THAN FAILURE TO PAY RENT) Residential Property

# 66

## When should this form be used?

This form should be used for eviction of Tenants if the Tenant's default is something other than failure to pay rent. If damages are sought a separate count, as set forth in the form 5A is necessary.

<b><u>The Landlord must complete and file the following forms:</u></b> (see instruction on each form)	<b>Page</b>
✓ Civil Cover Sheet	7
✓ Notice from Landlord to Tenant – Notice of Noncompliance for Matters other than Failure to Pay Rent, form 2.	9
✓ Complaint for Eviction, form 6 (Complaint for Landlord to Evict Tenants for Failure to Comply with Rental Agreement (Other Than Failure to Pay Rent)	11
✓ Nonmilitary Affidavit, form 81	13
✓ Final Judgment – Eviction, form 66	15

<b><u>These forms should be completed and filed, IF APPLICABLE</u></b>	
✓ Motion for Clerk's Default-Residential Eviction, form 76	18
✓ Motion for Default Final Judgment (residential eviction), form 78	20
✓ Writ of Possession, form 11	22
✓ Sheriff Information Sheet	23
✓ Notice of Intention to Impose Claim on Security Deposit, form 12	24
✓ Notice of Voluntary Dismissal	25
✓ Designation of Current Mailing and E-Mail Address and Directions to Provide E-Mail Address to Court Administration, A.O. 2.310 (04/13)	29
✓ Notice of Change of Address, (09/14) ( <i>Must be filed whenever you change your address</i> )	32

**Fees:**

Filing fee	\$ 185.00*
Summons Issue fee <i>-per summons-</i>	\$ 10.00*
Sheriff Service fee <i>-per defendant-</i> (payable to <u>PBSO</u> by check or money order)	\$ 40.00
Writ of Possession (Service fee \$ 40 and Enforcement fee \$50) payable to PBSO	\$ 90.00

\* Fees may be paid by cash, credit card, your personal check or money order payable to Sharon R. Bock, Clerk & Comptroller, Palm Beach County.

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

**READ** THE INSTRUCTIONS/INFORMATION BEFORE COMPLETING THE FORMS FOR FILING

**DO NOT SIGN** ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK

### **INSTRUCTIONS FOR FILING**

- **The forms should be typed or printed in black ink.**
- **Some of the forms must be signed before a notary or deputy clerk.**
  
- Complete and deliver a *copy* of the “Notice from Landlord to Tenant” (form 2) to the Tenant. Keep the Original for filing with the Clerk.
  
- **Where it says Plaintiff, insert name of Landlord, where it says Respondent, insert name of Tenant.**
  
- Wait seven (7) days.
  
- Complete and file the originals and 3 sets of copies *per Defendant* with the Clerk & Comptroller’s office, of the Civil Cover Sheet, Notice from Landlord to Tenant, Complaint for Tenant Eviction (form 6) with any attachments, Nonmilitary Affidavit; pay the filing fee, the summons issuance fee and the summons service fee.
  
- **Your case number will be assigned by the clerk.**
  
- Each *original* form should have all pages clipped together before filing (copies may be stapled together).
  
- If you want your copies stamped with the date of filing, make sure you give the Clerk your copies. **(If you mail your documents, make sure you provide an extra pre-addressed stamped envelope so they may return your copies)**
  
- Provide 1 pre-addressed stamped envelope for each defendant(s) on your case and 2 self-addressed (YOUR name and address) stamped envelopes.
  
- The clerk will issue a 5-day summons for each Defendant, to be served upon the tenant(s)/defendant(s); a copy will also be mailed to the defendant if you provided pre-addressed stamped envelopes.
  
- If you include the \$40.00 service fee, per defendant, *payable to PBSO*, the Clerk will forward the 5 day summons to the Palm Beach County Sheriff’s Office for service. **If you have any questions concerning the service of the summons, please contact the Sheriff’s Civil Office at 561-355-2760\*\*\***
  
- The defendant(s), after service of the 5-day summons, will have 5 days (excluding the day of service, Saturday, Sunday & legal holidays) to file a written response to your complaint for possession.
  
- If the defendant(s) file(s) a response within the required time, the Judge will review the response and determine whether the case should be set for a hearing and/or instruct the defendant to deposit the rent money due into the Court Registry.
  
- If a hearing is set, the parties will be notified of the court date by regular mail.
  
- If the defendant fails to answer, Plaintiff should file the originals and 1 copy for each Defendant of the Motion for Clerk’s Default Residential Eviction and the Final Judgment - Eviction.

- Provide 2 pre-addressed stamped envelopes for each defendant on your case and 2 self-addressed (YOUR name and address) stamped envelopes.
- **If the Judge grants you a Final Judgment for Possession and the tenants do not vacate the premises, the next step is to have a Palm Beach County's Sheriff Deputy remove the defendant(s)/tenant(s) from the property. This process requires a Writ of Possession.**
- **TO OBTAIN A WRIT OF POSSESSION**  
Complete and file:
  - The Writ of Possession (form 11)
  - The Sheriff Information Sheet
  - \$ 90.00 (Service fee \$40 and Enforcement fee \$50) check payable to PBSO -Palm Beach County Sheriff's Office.  
To: County Civil Department, in person or by mail to P.O. Box 3406, West Palm Beach, FL 33402. **MAKE SURE YOUR CASE NUMBER IS ON THE CHECK AND INCLUDE A SELF-ADDRESSED STAMPED ENVELOPE.**
- **IT IS YOUR RESPONSIBILITY TO KEEP TRACK OF YOUR CASE**

**CAUTION:**

**Forms are to be completed in block letters or typed; NO EXCEPTIONS! Names must be the same on all forms completed by the parties; no full names on one document and initials on another. This packet may not contain all the forms you may need to file your case. Additional forms are available in the Clerk & Comptroller's Self Service Center at each courthouse location. The Clerk & Comptroller's Clerks can not suggest specific information to be included in the blanks on your forms or fill out forms for you.**

**It is your responsibility to file any change to your address on the attached form.**

**ADDITIONAL INFORMATION:**

**Affidavit of Military Status: All Eviction complaints must include an Affidavit of Military Status.**

**This affidavit states facts showing that the defaulting party is/is not in the military service.** This can be via admission of the defendant or letters from the various military services denying knowledge of the party. If the defendant is in the military service, this must be indicated.

In accordance with the Service Members Civil Relief Act, 50 U.S.C. §521, unless based on facts admissible in evidence, an affidavit of non-military service must have attached to it a statement from the Department of Defense or from each branch of the armed services that the defendant is not in military service. Such a statement is available from the following website, at no charge:

**Defense Manpower Data Center  
1600 Wilson Boulevard Suite 400 Arlington, VA 22209-2593  
<https://www.dmdc.osd.mil/appj/scra/>**

The Defense Manpower Data Center allows Military Verification of non-military status for defense Branches of Armed Services by providing the public with free access to the above website. There is no PIN # or PASSWORD required; **however, you must know the defendant's Social Security Number to use this website.** Documentation is provided electronically in a form with the seal of the Department of Defense and the signature of the Center's Director.

If you **DO NOT** have a Social Security Number you will need to contact each Branch listed below individually for the information you are requesting. Requests for such certificates should contain the defendant's full name, social security number and date of birth. If the social security number or birth date is not known, this fact should be noted. A statement of why the information is needed and a self-addressed stamped envelope should also be included. Unless otherwise noted below, the fee for your request is \$5.20 per defendant payable to each Branch. The fees and request must be sent to each Branch individually. The following are acceptable forms of payment: certified cashier's check or personal check, or postal money order made payable to the Department of Treasury, unless otherwise specified.

**COAST GUARD:** USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd., Suite 1100, Arlington VA 22203, Phone (1-800) 772-8724, NOTE: All requests must be in writing. <http://www.uscg.mil/locator/>.

**AIR FORCE:** HQ AFPC/DPDXIDL, Attn: World Wide Locator, 550 C Street, West, Suite 50, Randolph AFB, TX 78150-4752, Phone: (210) 565-2660, NOTE: Requests will be taken by phone. <http://www.afpc.af.mil/library/airforcelocator.asp>.

**ARMY:** Army World Wide Locator Service, Enlisted Records and Evaluation Center, ATTN: Locator, 8899 East 56th Street, Fort Benjamin Harrison, IN 46249-5301. NOTE: All requests must be in writing.

**MARINE CORPS:** CMC HQ (MMSB-17), 2008 Elliot Road, Room 201, Quantico, VA 22134, Phone (703)784-3941 NOTE: All requests must be in writing

**NAVY:** Bureau of Naval Personnel, PERS-312E, 5720 Integrity Drive, Millington, TN 38055-3120, Phone: (1-866) 827-5672 NOTE: Requests will be taken by phone. [www.npc.navy.mil](http://www.npc.navy.mil).

**PUBLIC HEALTH SERVICE:** Attn: Director, Division of Commissioned Corps Officer Support, [http://dcp.psc.gov/ad\\_search.asp](http://dcp.psc.gov/ad_search.asp) NOTE: Please direct all inquiries to the website.

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN  
AND FOR PALM BEACH COUNTY, FLORIDA

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

DIVISION: \_\_\_\_\_

IN RE: THE MATTER OF:

\_\_\_\_\_  
PLANTIFF

v.

\_\_\_\_\_  
DEFENDANT

**COUNTY & SMALL CLAIMS CIVIL COVER SHEET**

**I. TYPE OF CASE** (Place an x in one box only. If the case fits more than one type of case, select the most definitive.)

**TORTS**

- Auto negligence*
- Professional malpractice*
- Products liability*
- Other negligence*

**OTHER CIVIL**

- Challenge to proposed constitutional amendment*
- Condominium*
- Contracts*
- Civil Replevin*
- Eviction*
- Foreclosure*
- Arbitration/Foreign Judgment*
- Personal Injury Protection (PIP) (claims up to \$5,000)*
- Personal Injury Protection (PIP) (claims from \$5,000.01-\$15,000.00)*
- Real property/Mortgage foreclosure*
- Wage Dispute (claims up to \$5,000)*
- Wage Dispute (claims from \$5,000.01-\$15,000.00)*
- Other County Civil* \_\_\_\_\_
- Small Claims other than Wage Dispute and PIP*

**II. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- Yes
- No

**III. CLAIMS/PARTIES**

Has there been a previous case filed in Palm Beach County/15th Judicial Circuit which involved the same claim against the same adverse party and which was voluntarily or involuntarily dismissed?

- Yes. Please provide the appropriate case number(s) \_\_\_\_\_.
- No

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature \_\_\_\_\_  
Attorney or party

Fla. Bar# \_\_\_\_\_  
(Bar # if attorney)

Date \_\_\_\_\_

\_\_\_\_\_  
(type or print name)  
Revised 12.2012

FORM 2

**NOTICE FROM LANDLORD TO TENANT NOTICE OF  
NONCOMPLIANCE FOR MATTERS OTHER THAN FAILURE TO PAY RENT**

INSTRUCTIONS

Violations of a rental agreement which may entitle the Landlord to send this Notice include, the material failure of Tenant to comply with its statutory obligations to maintain the dwelling unit under Florida Statute 83.52 or material provisions of the rental agreement (other than the failure to pay rent), or reasonable rules and regulations. For the notice necessary to terminate the rental agreement under circumstances where the Tenant must be given the opportunity to remedy the violation, see Florida Statutes 83.56(2)(b).

Under some situations, such as the Tenant's intentional destruction of property of the Landlord or other Tenants, the Landlord may be able to terminate the rental agreement without giving the Tenant an opportunity to remedy the violation. For the notice necessary to terminate the rental agreement under these circumstances, see Florida Statute 83.56(2)(a).

The delivery of this written notice may be by mailing or delivering a true copy to the dwelling unit, or, if the Tenant is absent from the dwelling unit, by leaving a copy of the notice at the dwelling unit.

This written notice must be delivered, and the seven day time period must run, prior to any termination of the rental agreement or any lawsuit for eviction.

SOURCE: Sections 83.52 and 83.56 Florida Statutes (2007).

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.



**NOTICE FROM LANDLORD TO TENANT  
NOTICE OF NONCOMPLIANCE FOR MATTERS OTHER THAN FAILURE TO PAY RENT**

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

You are hereby notified that you are not complying with your rental agreement in that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ [noncompliance, default or violation]. Demand is hereby made that you remedy the noncompliance, default or violation within seven days of receipt of this notice or your rental agreement shall be deemed terminated and you shall vacate the premises upon such termination. If this same conduct or conduct of a similar nature is repeated within twelve months, your tenancy is subject to termination without your being given an opportunity to cure the noncompliance, default or violation.

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Landlord Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Phone Number

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

FORM 6

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

INSTRUCTIONS

Form 6 should be used for eviction of Tenants if the Tenant's default is something other than failure to pay rent. If damages are sought a separate count, as set forth in the form 5A is necessary.

See Instructions to Form 5 and 5A.

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY FLORIDA

\_\_\_\_\_  
Plaintiff,

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

vs.

\_\_\_\_\_  
Defendant.

**COMPLAINT FOR EVICTION**

\_\_\_\_\_ /

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

1. This is an action to evict the Tenant from real property in Palm Beach County, Florida.
2. Plaintiff owns the following described real property in the County: *[insert legal or street description of the property including, if applicable, unit number]*. \_\_\_\_\_  
\_\_\_\_\_.
3. Defendant has possession of the real property under a (oral/written) agreement. A copy of the written agreement, if any, is attached as Exhibit "A".
4. Plaintiff served Defendant with a notice on \_\_\_\_\_, 20\_\_\_\_ giving written notice to the Defendant that the Defendant was in violation of its rental agreement. A copy of the notice, setting forth the violation of the rental agreement, is attached 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.

\_\_\_\_\_  
Landlord's Name \_\_\_\_\_  
Address, Unit Number \_\_\_\_\_  
\_\_\_\_\_  
Phone Number \_\_\_\_\_

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

FORM 81

NONMILITARY AFFIDAVIT

The Tenant will have five days, after service, to file a written response to a Complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the Tenant fails to file a written response in that time the Landlord is entitled to a judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk's default should be obtained by delivering to the Clerk of the Court an executed Motion-for Clerk's Default. Form 76 should be used to obtain a Clerk's default when the Tenant has failed to respond to an eviction complaint and Form 77 should be used to obtain a Clerk's default when the Tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, Form 81, Nonmilitary Affidavit, must be filed with the Clerk.

Second, based on the Clerk's default, a default final judgment should be obtained from the judge handling the case. The default final judgment is obtained by delivering to the Court a Motion for Default Final judgment-Residential Eviction (Form 78) and/or a Motion for Default Final judgment - Damages (Residential Eviction) (Form 79) with an Affidavit of Damages (Form 80). If the Landlord is seeking a Default Final judgment - Damages (Residential Eviction), a copy of the motion and affidavit must be served on the Defendant. The forms provide a certificate of service to be completed establishing proper service of the motion and affidavit.

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY FLORIDA

\_\_\_\_\_  
Plaintiff,  
vs.  
\_\_\_\_\_  
Defendant.  
\_\_\_\_\_ /

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

**NONMILITARY AFFIDAVIT**

On this day personally appeared before me, the undersigned authority, \_\_\_\_\_,  
\_\_\_\_\_, who, after being first duly sworn, says:

Defendant, \_\_\_\_\_, is known  
by Affiant not to be in the military service or any governmental agency or branch subject to the provisions of the  
Soldiers' and Sailors' Civil Relief Act.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone No. \_\_\_\_\_

Sworn and subscribed before me on \_\_\_\_\_, by \_\_\_\_\_  
\_\_\_\_\_, who is personally known to me \_\_\_\_\_ produced \_\_\_\_\_ as identification and who  
took an oath.

\_\_\_\_\_  
NOTARY PUBLIC-STATE OF FLORIDA  
Name: \_\_\_\_\_  
Commission No. \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

I CERTIFY that I \_\_\_\_\_ mailed, \_\_\_\_\_ faxed and mailed, or \_\_\_\_\_ hand delivered a copy of this motion and  
attached affidavit to the Defendant at \_\_\_\_\_  
[address at which Tenant was served and fax number if sent by fax].

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Fax No. \_\_\_\_\_

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

FORM 66

FINAL JUDGMENT - EVICTION

- File original plus one copy per party on your case (Plaintiff, defendant(s) and attorney if any)
- Provide one stamped envelope per party on your case (Plaintiff, defendant(s) and attorney if any)

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

\_\_\_\_\_  
Plaintiff,  
vs.  
\_\_\_\_\_  
Defendant.  
\_\_\_\_\_ /

**FINAL JUDGMENT - EVICTION**

THIS ACTION came before the Court upon Plaintiff's Complaint for Eviction. On the evidence presented, it is

ADJUDGED that Plaintiff \_\_\_\_\_ [insert Landlord's name], recover from Defendant \_\_\_\_\_ [insert Tenant's name], possession of the real property described as follows:

\_\_\_\_\_  
[insert legal or street description of rental premises including, if applicable, unit number]

and \$ \_\_\_\_\_ as court costs, WHICH LET WRITS OF POSSESSION AND EXECUTION NOW ISSUE.

ORDERED in PALM BEACH COUNTY, FLORIDA on \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
County Judge

cc:

\_\_\_\_\_  
Landlord

\_\_\_\_\_  
Tenant

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_



FORM 76

**MOTION FOR CLERK'S DEFAULT - RESIDENTIAL EVICTION**

The Tenant will have five days, after service, to file a written response to a Complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the Tenant fails to file a written response in that time the Landlord is entitled to a judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk's default should be obtained by delivering to the Clerk of the Court an executed Motion-for Clerk's Default. Form 76 should be used to obtain a Clerk's default when the Tenant has failed to respond to an eviction complaint and Form 77 should be used to obtain a Clerk's default when the Tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, Form 81, Nonmilitary Affidavit, must be filed with the Clerk.

Second, based on the Clerk's default, a default final judgment should be obtained from the judge handling the case. The default final judgment is obtained by delivering to the Court a Motion for Default Final judgment-Residential Eviction (Form 78) and/or a Motion for Default Final judgment - Damages (Residential Eviction) (Form 79) with an Affidavit of Damages (Form 80). If the Landlord is seeking a Default Final judgment - Damages (Residential Eviction), a copy of the motion and affidavit must be served on the Defendant. The forms provide a certificate of service to be completed establishing proper service of the motion and affidavit.

**FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.**

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY FLORIDA

\_\_\_\_\_  
Plaintiff,  
vs.

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

\_\_\_\_\_  
Defendant.

**MOTION FOR CLERK'S DEFAULT –  
RESIDENTIAL EVICTION**

\_\_\_\_\_/

Plaintiff asks the Clerk to enter a default against \_\_\_\_\_,  
Defendant, for failing to respond as required by law to Plaintiff's Complaint for residential eviction.

\_\_\_\_\_  
Name: \_\_\_\_\_

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

\_\_\_\_\_  
Telephone No. \_\_\_\_\_

**DEFAULT - RESIDENTIAL EVICTION**

A default is entered in this action against the Defendant for eviction for failure to respond as required by  
law.

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

CLERK OF THE COURT

By: \_\_\_\_\_  
Deputy Clerk

cc: \_\_\_\_\_  
Name of Landlord

\_\_\_\_\_  
Name and address of Tenant

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_

Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

FORM 78

**MOTION FOR DEFAULT FINAL JUDGMENT  
(RESIDENTIAL EVICTION)**

The Tenant will have five days, after service, to file a written response to a Complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the Tenant fails to file a written response in that time the Landlord is entitled to a judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk's default should be obtained by delivering to the Clerk of the Court an executed Motion-for Clerk's Default. Form 76 should be used to obtain a Clerk's default when the Tenant has failed to respond to an eviction complaint and Form 77 should be used to obtain a Clerk's default when the Tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, Form 81, Nonmilitary Affidavit, must be filed with the Clerk.

Second, based on the Clerk's default, a default final judgment should be obtained from the judge handling the case. The default final judgment is obtained by delivering to the Court a Motion for Default Final judgment-Residential Eviction (Form 78) and/or a Motion for Default Final judgment - Damages (Residential Eviction) (Form 79) with an Affidavit of Damages (Form 80). If the Landlord is seeking a Default Final judgment - Damages (Residential Eviction), a copy of the motion and affidavit must be served on the Defendant. The forms provide a certificate of service to be completed establishing proper service of the motion and affidavit.

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT, OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff,

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

vs.

**MOTION FOR DEFAULT FINAL-  
JUDGMENT - RESIDENTIAL EVICTION**

\_\_\_\_\_  
Defendant

Plaintiff asks the Clerk to enter a default against \_\_\_\_\_, Defendant, for failing to respond as required by law to Plaintiff's Complaint for damages.

1. Plaintiff filed a Complaint alleging grounds for residential eviction of Defendant.
2. A Default was entered by the Clerk of this Court on \_\_\_\_\_ [date].

WHEREFORE, Plaintiff asks this Court to enter a Final judgment For Residential Eviction against Defendant.

Name: \_\_\_\_\_

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

Telephone No. \_\_\_\_\_

cc: \_\_\_\_\_  
Tenant

FORM 11

**WRIT OF POSSESSION**

This document should be delivered to the Clerk of the Court after the Court enters the final judgment evicting the Tenant. The Clerk will sign this Writ. After the Clerk signs this Writ, it must be delivered to the Sheriff to be served upon the Tenant and who, if necessary, will forcibly evict the Tenant after 24 hours from the time of service.

If requested by the Landlord to do so, the Sheriff shall stand by to keep the peace while the Landlord changes the locks and removes personal property from the premises. When such a request is made; the Sheriff may charge a reasonable hourly rate, and the person requesting the Sheriff to stand by to keep the peace shall be responsible for paying the reasonable hourly rate set by the Sheriff.

SOURCE: Section 83.62, Florida Statutes (2007)

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff, CASE NO. \_\_\_\_\_

vs.

\_\_\_\_\_  
Defendant. **WRIT OF POSSESSION**

**STATE OF FLORIDA  
TO THE SHERIFF OF PALM BEACH COUNTY, FLORIDA:**

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

\_\_\_\_\_  
\_\_\_\_\_  
and to put \_\_\_\_\_  
in possession of it.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

Clerk, County Court

By: \_\_\_\_\_  
Deputy Clerk

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

**SHERIFF INFORMATION SHEET**

Case No: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

-vs-

\_\_\_\_\_  
Defendant(s)

**The following information is required in order to make arrangements with the proper person regarding the changing of locks and the acceptance of possession of the premises.**

\_\_\_\_\_ 1. **Plaintiff** will meet the Deputy Sheriff on the premises and change own locks.

Phone Numbers: Home: ( ) \_\_\_\_\_  
Work: ( ) \_\_\_\_\_  
Cell: ( ) \_\_\_\_\_

\_\_\_\_\_ 2. **Plaintiff's Agent**, \_\_\_\_\_, will meet the Deputy Sheriff on the premises, change the locks and accept possession on behalf of the Plaintiff.

Phone Numbers: Home: ( ) \_\_\_\_\_  
Work: ( ) \_\_\_\_\_  
Cell: ( ) \_\_\_\_\_

ADDITIONAL INFORMATION:

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

**NOTICE OF INTENTION TO IMPOSE CLAIM ON SECURITY DEPOSIT**

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

This is a notice of my intention to impose a claim for damage in the amount of \$ \_\_\_\_\_  
Upon your security deposit due to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Damage done to premises or other reason for claiming security deposit]. This notice is sent to you as required by §83.49(3), Florida Statutes. You are hereby notified that you must object in writing to this deduction from your security deposit within 15 days from the time you receive this notice or I will be authorized to deduct my claim from your security deposit. Your objection must be sent to \_\_\_\_\_  
\_\_\_\_\_ [Landlord's address].

\_\_\_\_\_  
Landlord's Name  
Address \_\_\_\_\_  
\_\_\_\_\_  
Phone Number \_\_\_\_\_

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

The Florida Bar 2010

This form was completed  
with the assistance of: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_



**IN THE COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

-VS-

\_\_\_\_\_  
Defendant(s)

**NOTICE OF VOLUNTARY DISMISSAL**

No property having been seized or placed into the custody of the Court, the plaintiff,  
\_\_\_\_\_, hereby dismisses this action.

I certify that a copy here of has been furnished to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by \_\_\_ mail or by \_\_\_ hand delivery, this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

Signature: \_\_\_\_\_  
Name *[print]*: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_



THE  
**15TH JUDICIAL CIRCUIT**  
OF FLORIDA  
ADMINISTRATIVE OFFICE OF THE COURT

## **E-SERVICE INSTRUCTIONS FOR SELF REPRESENTED PARTIES**

Pursuant to the Florida Rule of Judicial Administration 2.516, self-represented parties involved in any type of case in any Florida court, may, but are not required to, serve on the opposing party's attorney court documents by e-mail.

**E-mail Service to/from an Opposing Party:** Self-represented parties opting to serve court documents by e-mail may do so by designating a primary e-mail address (and up to 2 secondary e-mail addresses) for receiving service in that proceeding. This designation only informs the other side of your email address. Once a party has filed an e-mail address designation in a proceeding, all court documents required or permitted to be served on a party must be served by e-mail unless the parties otherwise agree or a court orders otherwise.

**E-Mail Service from Participating Judges:** Self-represented parties who want to receive court orders and other court documents from judges who use e-mail service **MUST** register with the 15th Judicial Circuit's online services system at **[www.15thcircuit.com/html/onlineservices](http://www.15thcircuit.com/html/onlineservices)**. You will **NOT** receive court documents from participating judges unless and until you register with the 15th Judicial Circuit's online system.

**Form of Email:** E-mail service is made by attaching a copy of the document to be served in PDF format to an e-mail. The e-mail's subject line must state "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the relevant proceeding. The body of the e-mail must identify the: (1) court in which the proceeding is pending; (2) case number; (3) name of the initial party on each side; (3) title of each document served with that e-mail; (4) sender's name; (5) sender's telephone number. The e-mail and attachments together may not exceed 5 megabytes in size; e-mails that exceed the size requirement must be divided into separate e-mails (no one of which may exceed 5 megabytes) and labeled sequentially in the subject line. Documents served by e-mail may be signed by "/s/", "/s" or "s/" as long as the document filed with the Clerk's Office is signed in accordance with the applicable rule of procedure.

**Service Dates:** Service by e-mail is deemed complete on the date it is sent. E-mail service is treated as service by mail for the computation of time. When, in addition to service by e-mail, the sender also utilizes another means of service provided for in the Rules of Judicial Administration, the computation of time will be based on the method of service that has the shortest response time.

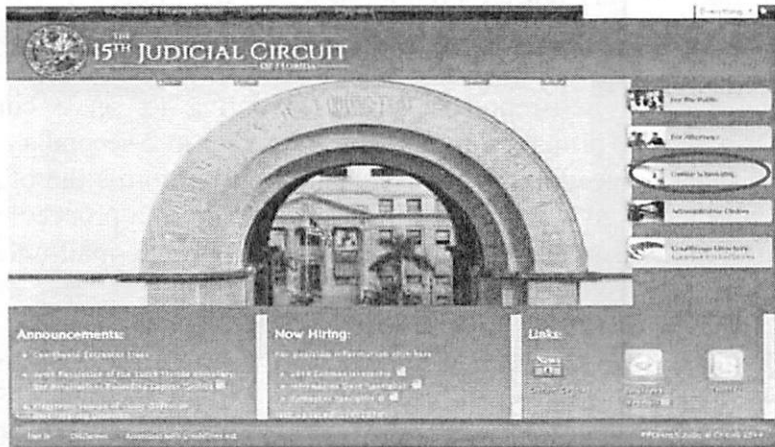
**Filing of Documents:** The Rules of Judicial Administration require that all documents be filed with the court either before service on the opposing party or immediately thereafter. Documents are deemed filed when they are filed with the clerk of court. If the sender learns that the e-mail did not reach the address of the person to be served, the sender must immediately send another copy by e-mail, or serve by a means authorized by subdivision (b)(2) of the Rules of Judicial Administration.

Instructions for E-Service Registration for Self Represented Litigants, (06/13)

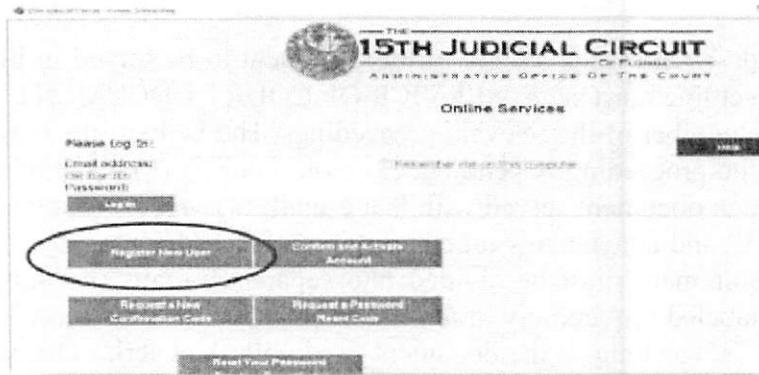


THE  
**15TH JUDICIAL CIRCUIT**  
 OF FLORIDA  
 ADMINISTRATIVE OFFICE OF THE COURT

**Instructions for E-Service Registration For Self Represented Litigants**

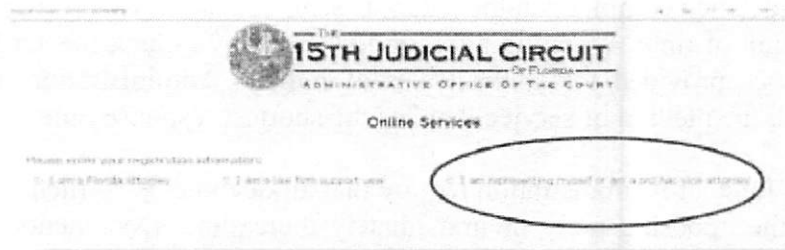


- Go to [www.15thcircuit.com](http://www.15thcircuit.com)
- Select Online Scheduling
- Select Online Scheduling Application



This will take you to the Log In Screen.

First time users click on "Register New User".



Select the "Pro se/ Pro hac vice" button

Enter the information requested in the fields provided.

**NOTE:**

The e-mail address listed here is for logging into Court e-service applications. This address is NOT FOR USE as an e-service email address unless you want it to be.

Simply type the code in the space provided and press the green submit button.

The account has now been created.  
A confirmation email will be sent to registered login email address.

**IMPORTANT:**

The user MUST accept and login within 24 hours.

Instructions for E-Service Registration for Self Represented Litigants, (06/13)

IN THE CIRCUIT/COUNTY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

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

\_\_\_\_\_,  
Plaintiff/Petitioner

v.

\_\_\_\_\_,  
Defendant/Respondent.

**DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS AND  
DIRECTIONS TO PROVIDE E-MAIL ADDRESS TO COURT ADMINISTRATION**

I, (full legal name) \_\_\_\_\_, being sworn, certify that my  
current mailing address is: {Street} \_\_\_\_\_

{City} \_\_\_\_\_, {State} \_\_\_\_\_, {Zip} \_\_\_\_\_

{Telephone No.} \_\_\_\_\_ {Fax No.} \_\_\_\_\_

I designate as my current e-mail address(es) (up to 3 different email address): \_\_\_\_\_

\_\_\_\_\_

1. I understand that in order to receive court orders from participating judicial divisions in the Fifteenth Judicial Circuit/Palm Beach County, I must register my email address with Court Administration by going to [www.15thcircuit.com/html/onlineservices](http://www.15thcircuit.com/html/onlineservices).
2. I further understand that simply listing an email address on this form will NOT inform the judge or case manager of my email address and that I MUST register on line with the Court's online e-registration system.
3. Once registered, I agree to accept email service of court orders or documents sent by the court.
4. By completing this form I am authorizing participating Judicial Divisions and the Court of the Clerk, of the Fifteenth Judicial Circuit Court of Florida to send copies of orders/judgment, notices or other written communications to me by e-mail and not through regular U.S. Mail.
5. I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing and e-mail address(es) and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.

Designation of Current Mailing and E-Mail Address and Directions to Provide E-mail Address to Court Administration (04/13)

6. I will ensure the software filters have been removed from my computer, so it does not interfere with my ability to receive any of the above documents.

I certify that a copy of this document was {check all used}: ( ) e-mailed ( ) mailed ( ) faxed ( ) hand-delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail Address(es): \_\_\_\_\_

Dated: \_\_\_\_\_ Signature of Party \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

\_\_\_\_\_  
[Print, type, or stamp commissioned name of notary or clerk]

\_\_\_\_\_ Personally Known  
\_\_\_\_\_ Produced Identification  
\_\_\_\_\_ Type of identification produced \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in all blanks] This form was prepared for the: {choose only one} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_  
{name of business} \_\_\_\_\_  
{street} \_\_\_\_\_  
{city} \_\_\_\_\_, {state} \_\_\_\_\_ {telephone number} \_\_\_\_\_

## **INSTRUCTIONS FOR NOTICE OF CHANGE OF ADDRESS**

### **When should this form be used?**

This form should be used when you make any changes to your mailing/e-mailing address at anytime during the course of the case.

This form should be typed or printed in black ink. You should file the original with the clerk of the circuit court in the county where the petition was filed and keep a copy for your records.

### **What should I do next?**

A copy of this form must be mailed or hand delivered to the other party in your case.

### **Where can I look for more information?**

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** The words that are in “bold underline” in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

### **Special notes...**

It is the party’s responsibility to timely update their address. If you do not update your address timely, you may not receive documents filed in your case.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner,

V.

\_\_\_\_\_  
Defendant/Respondent.

**NOTICE OF CHANGE ADDRESS**

Please be advised that the undersigned has changed their mailing address to:

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

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Please be advised that the undersigned has changed his/her email address to the following:

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was mailed to the person listed below by U.S. Mail on the following date: \_\_\_\_\_.

Other party or his/her attorney:

Name: \_\_\_\_\_

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

City, State, Zip: \_\_\_\_\_

E-Mail: \_\_\_\_\_

\_\_\_\_\_  
Signature