

FORM 5A

**COMPLAINT FOR LANDLORD TO EVICT TENANTS
FOR FAILURE TO PAY RENT AND TO RECOVER PAST DUE RENT**

INSTRUCTIONS

Form 5 should be used if only eviction of the Tenant is sought. Form 5A should be used to evict the Tenant and recover damages (past due rent).

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

CASE NO. _____

Plaintiff,
vs.

Defendant.

**COMPLAINT FOR EVICTION
AND DAMAGES**

Plaintiff, _____, sues Defendant, _____
and alleges:

**COUNT I
Tenant Eviction**

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: _____

_____.
3. Defendant has possession of the real property under a (oral /written) agreement to pay rent of \$ _____ payable _____ [i.e., weekly, monthly, etc.]. A copy of the written agreement, if any, is attached as Exhibit "A"
4. Defendant failed to pay the rent due _____
5. Plaintiff served Defendant with a notice on _____, to pay the rent or deliver possession but Defendant refuses to do either. A copy of the notice is attached as Exhibit "B."

WHEREFORE, Plaintiff demands judgment for possession of the property against Defendant.

**COUNT II
Damages**

6. This is an action for damages that do not exceed \$15,000.
7. Plaintiff restates those allegations contained in paragraphs 1 through 5 above.
8. Defendant owes Plaintiff \$ _____ that is due with interest since _____, 20____

WHEREFORE, Plaintiff demands judgment for damages against Defendant.

Landlord's Name _____
Address, Unit Number _____

Phone Number _____