

**FORM 5 COMPLAINT FOR LANDLORD TO EVICT TENANTS FOR  
FAILURE TO PAY RENT**

**FORM 5A - COMPLAINT FOR LANDLORD TO EVICT TENANTS FOR  
FAILURE TO PAY RENT AND TO RECOVER PAST DUE RENT**

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

**IN THE COUNTY COURT, IN AND FOR**  
\_\_\_\_\_ **COUNTY, FLORIDA**

CASE NO. \_\_\_\_\_  
(insert case number assigned  
by Clerk of the Court)

\_\_\_\_\_,  
(Insert name of Landlord)

Plaintiff,

vs .

**COMPLAINT FOR EVICTION  
AND DAMAGES**

\_\_\_\_\_,  
(Insert name of Tenant)

Defendant.

\_\_\_\_\_ /

Plaintiff, \_\_\_\_\_ sues Defendant, \_\_\_\_\_ and alleges:  
(insert name of Landlord) (insert name of Tenant)

**COUNT I**  
Tenant Eviction

1. This is an action to evict a tenant from real property in \_\_\_\_\_  
\_\_\_\_\_ County, Florida.  
(insert county in which the rental property is located)

2. Plaintiff owns the following described real property in said County: \_\_\_\_\_  
\_\_\_\_\_  
(insert legal or street description of rental property including, if applicable, unit number)

3. Defendant has possession of the property under a/an (oral/written) agreement to pay rent of  
\$ \_\_\_\_\_ payable \_\_\_\_\_  
(insert rental amount) (insert terms of rental payments, i.e., weekly, monthly, etc.)  
A copy of the written agreement, if any, is attached as Exhibit "A."

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

4. Defendant failed to pay the rent due \_\_\_\_\_,  
20\_\_\_\_\_. (insert date of payment Tenant has failed to make)

5. Plaintiff served Defendant with a notice on \_\_\_\_\_,20\_\_\_\_\_,to pay the  
(insert date of notice)  
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  
(insert past due rent amount)  
since \_\_\_\_\_, 20\_\_\_\_\_.  
(insert date of last rental payment tenant failed to make)

WHEREFORE, Plaintiff demands judgment for damages against Defendant.

\_\_\_\_\_  
Landlord's Name \_\_\_\_\_

Address \_\_\_\_\_

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

This form was completed with the assistance of:

Name:

Address:

Telephone Number:

**IN THE COUNTY COURT, IN AND FOR**  
\_\_\_\_\_ **COUNTY, FLORIDA**

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

(insert case number assigned  
by Clerk of the Court)

\_\_\_\_\_,  
(Insert name of Landlord)

Plaintiff,

vs .

**COMPLAINT FOR EVICTION**

\_\_\_\_\_,  
(Insert name of Tenant)

Defendant.

\_\_\_\_\_ /

Plaintiff, \_\_\_\_\_ sues Defendant, \_\_\_\_\_ and alleges:  
(insert name of Landlord) (insert name of Tenant)

1. This is an action to evict a tenant from real property in \_\_\_\_\_  
\_\_\_\_\_ County, Florida.  
(insert county in which the rental property is located)

2. Plaintiff owns the following described real property in said County: \_\_\_\_\_  
\_\_\_\_\_  
(insert legal or street description of rental property including, if applicable, unit number)

3. Defendant has possession of the property under a/an (oral/written) agreement to pay rent of  
\$ \_\_\_\_\_ payable \_\_\_\_\_.  
(insert rental amount) (insert terms of rental payments, 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 \_\_\_\_\_,  
(insert date of payment Tenant has failed to make)  
20\_\_\_\_.

5. Plaintiff served Defendant with a notice on \_\_\_\_\_, 20\_\_\_\_.to pay the  
(insert date of notice)  
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 against Defendant.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Landlord/Property Manager  
(Circle one)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

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

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