

NO. _____
(filled in by court)

_____ ,)	IN THE JUSTICE COURT
PLAINTIFF (Your Name),)	
vs.)	
)	PRECINCT ____, PLACE ____
)	
_____ ,)	
DEFENDANT (Landlord).)	_____ COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiff files this original petition in the above-styled and numbered cause, and in support, shows the Court as follows:

I. DISCOVERY

1. Plaintiff intends to conduct discovery under Level 1.

II. PARTIES

2. _____, Plaintiff, is a resident of the county of this Court, within Texas.
3. _____, Defendant, may be served at the following address:

_____.

III. JURISDICTION AND VENUE

4. The amount in controversy is within the jurisdictional limits of this Court, and venue is proper as the cause of action arose in the county of this Court within Texas.

IV. FACTS

5. Plaintiff leased premises from Defendant.
6. Defendant removed the following item(s) from the premises to secure payment:

_____.

7. Defendant improperly removed such item(s) because (mark all that apply):
 - the lease does not properly provide for landlord liens;

- Plaintiff did not owe Defendant rent;
 - the item(s) removed were exempt from lien;
 - Defendant breached the peace during the entry or removal;
 - Defendant failed to provide written notice of entry and list of items removed, the amount of delinquent rent, the name, address and telephone number of the contact person, and that the items will be promptly returned on full payment.
8. Any provision of the lease that purports to waive or diminish Plaintiff's rights is void pursuant to Section 54.043(b) of the Texas Property Code.

V. CAUSES OF ACTION

9. Defendant is liable to Plaintiff for each violation noted in Paragraph 7. Pursuant to Section 54.046 of the Texas Property Code, Plaintiff is entitled to the return of all property removed (or its replacement value), and one month's rent or \$500 whichever is greater for EACH violation noted, actual damages, and court costs from Defendant.

VI. REQUEST FOR RELIEF

Plaintiff requests this Court grant the following relief:

- a. return of any property removed (or its replacement value);
- b. actual damages;
- c. a civil penalty of one month's rent or \$500 whichever is greater for each violation noted above;
- d. court costs; and
- e. any other relief to which Plaintiff is entitled.

Respectfully submitted,

(Your Signature)

(Your Printed Name)

(Your Address)

(Your City, State, Zip)

(Your Phone Number)