

## FORM 5

### COMPLAINT FOR LANDLORD TO EVICT TENANTS

#### 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, IN AND FOR  
\_\_\_\_\_ COUNTY, FLORIDA  
[insert County in which rental property is located]

\_\_\_\_\_  
[insert name of Landlord]  
  
Plaintiff,

CASE NO. \_\_\_\_\_  
[insert case number assigned  
by Clerk of the Court]

vs.

\_\_\_\_\_  
[insert name of Tenant]  
  
Defendant.

**COMPLAINT FOR EVICTION**

\_\_\_\_\_/

Plaintiff, \_\_\_\_\_ [insert name of Landlord], sues Defendant,  
\_\_\_\_\_ [insert name of Tenant] and alleges:

1. This is an action to evict a Tenant from real property in \_\_\_\_\_ [insert county in which the property is located] 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 property under a (oral/written) agreement to pay rent of \$  
\_\_\_\_\_ [insert rental amount] payable \_\_\_\_\_ [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 \_\_\_\_\_, 20\_\_\_\_ [insert date of payment Tenant has  
failed to make].

5. Plaintiff served Defendant with a notice on \_\_\_\_\_, 20\_\_\_\_ [insert date of notice], 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.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Address

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

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

Email address \_\_\_\_\_

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: