

CAUSE NO. _____

_____	§	IN THE SHERIFF/CONSTABLE (<i>circle one</i>) OFFICE
COMPLAINANT	§	
	§	
v.	§	PRECINCT ____
	§	
_____	§	
OCCUPANT(S)	§	_____ COUNTY, TEXAS

**COMPLAINT TO REMOVE PERSON OCCUPYING DWELLING WITHOUT OWNER'S
CONSENT**

I, _____ (name of complainant), declare under penalty of perjury that:

(Read each item and initial each item that is true.)

- 1) _____ I am the owner or the agent of the owner of residential real property located at _____ (property address)
- 2) _____ A person unlawfully entered and occupies a dwelling on the property without the owner's consent. Name and any other descriptors or identifying information of this person known to complainant:

- 3) _____ The property was not open to the public when the person entered the property.
- 4) _____ The property is not the subject of pending litigation between the owner and the person.
- 5) _____ The owner or the owner's agent has directed the person to leave the property, and the person has not done so.
- 6) _____ The person is not a current or former tenant of the owner under an oral or written lease and any lease produced by the person is fraudulent.
- 7) _____ The person is not an owner or co-owner of the property and any title to the property that lists the person as an owner or co-owner is fraudulent.
- 8) _____ The person is not an immediate family member of the owner.
- 9) _____ I understand that a person removed from the property as a result of this complaint may bring an action against me for any false statement made in the complaint or for wrongfully submitting the complaint.
- 10) _____ I understand that I may be held liable for actual damages, exemplary damages, court costs, and reasonable attorney's fees in an action described by item 9.
- 11) _____ I am requesting that the sheriff or constable immediately remove each person occupying the dwelling without the owner's consent.

- 12) _____ A copy of my valid government-issued identification is attached and, if I am the owner's agent, a document evidencing my authority to act on the property owner's behalf is attached.

I HAVE READ EACH STATEMENT IN THIS COMPLAINT AND CONFIRM EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT A STATEMENT MADE IN THIS COMPLAINT IS MADE UNDER PENALTY OF PERJURY, PUNISHABLE UNDER SECTION 37.02, PENAL CODE.

COMPLAINANT:

(Fill out only one of the below sections. If you fill out the first section, you will not need to sign the form in front of a notary public. If you do not want to list your address or date of birth for privacy or safety concerns, take the form and your photo identification, and fill out the second section in front of a notary public.)

SECTION 1

My name is *(include first, middle, and last)* _____, my date of birth is ____/____/____, my address is _____, in _____ County, and I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the following date: ____/____/____.

SECTION 2

Complainant's Printed Name

Signature of Complainant

Sworn to and subscribed before me this _____ day of _____, 20_____

NOTARY

RETURN OF SERVICE

This Notice was **SERVED** on _____, 20____, at ____:____.m. and was **EXECUTED** in _____ County, Texas, by:

- ☐ hand delivery to the occupant(s) of the dwelling; or
- ☐ affixing the notice to the front door or entrance of the dwelling.

The officer put the owner or their agent in possession of the dwelling. Specific details are as follows:

After the service of the Notice, the property owner or agent ☐ did ☐ did not request that the officer remain on the property to keep the peace while the owner or owner's agent changed the locks and removed any personal property of the occupant(s) from the dwelling and placed them at or near the property line.

The officer serving the Notice attempted to verify the identity of each person occupying the dwelling and was able to note the following:

NAME	DATE OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

The distance actually traveled by me in the service and execution of this process was _____ miles and my fees are \$ _____.

Officer's Name and Title

Officer's Signature