

# HOW TO FILE AN EVICTION

Filing Fee: \$185.00

Sheriff's Fee (No personal checks): \$40.00 per tenant

Issuance Summons: \$10.00 per tenant

1. A vacate notice or delinquent tenant notice must have been posted prior to filing.
2. When you file, you must provide the clerk with a copy of the notice to vacate and lease or rental agreement, if applicable, as well as a copy of both for each defendant in the case.
3. You must also provide 2 self addressed stamped envelopes **for each party.**
4. You need to know before filing if you will be filing for I or II counts, as explained here.

Count I: To evict tenant only, no recovery of past due rent and damages.

A. Property must be in Levy County.

B. Fill out complaint to remove tenant.

5. Count I & II:
  - A. Count I: 1<sup>st</sup> step is to evict. At eviction hearing, Judge will set a date for 2<sup>nd</sup> hearing on Count II.
  - B. Count II: Is to recover money owed to you. If defendants are not served, the Count II hearing cannot take place. You may attempt service again, and then a hearing will be scheduled if the Defendants are served. (Sheriff charges \$40.00, no personal checks).
6. The Clerk will mail a notice of hearing to the Plaintiffs once a date has been set.
7. Plaintiffs are to come prepared to present their case to the court.
8. Please notify the Clerk in writing if your case has settled before your scheduled court date so we may cancel you hearing and have the case dismissed.

**IN THE COUNTY COURT  
OF LEVY COUNTY, FLORIDA**

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

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Address

\_\_\_\_\_

Telephone No. \_\_\_\_\_

VS.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Address

\_\_\_\_\_

**COMPLAINT TO REMOVE TENANT**

Plaintiff sues defendant and alleges:

1. This is an action to evict from real property in Levy County, Florida.  
2. Plaintiff owns the following described real property in said  
county: \_\_\_\_\_

3. Defendant has possession of property under (oral, written; if written, a copy must be attached) agreement.

4. Notice to vacate the premises, as required by statute, was given to defendant on  
\_\_\_\_\_, a copy of notice is attached and made a part hereof.

WHEREFORE, Plaintiff demands judgement for possession of the property against defendant.

\_\_\_\_\_  
Plaintiff or Agent

STATE OF FLORIDA  
COUNTY OF LEVY

The above signed, being sworn, says that this is a true statement.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

DANNY J. SHIPP, CLERK OF COUNTY COURT

By: \_\_\_\_\_  
Deputy Clerk