

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA CIVIL ACTION

Plaintiff(s) (Landlord, Owner, or Lessor)

vs.

Case No.:

Defendant(s) (Tenant)

AFFIDAVIT OF OWNERSHIP AND NOTICE TO PARTIES

Notice: You have filed a case seeking the removal of a tenant. Under Florida law, only a landlord, the landlord’s attorney or the landlord’s agent may file this type of case. A landlord is either the owner or the lessor (the person who leased the property to the tenant) of the premises subject to this action. F.S. 83.43(3) and 83.59(2). The manager must have written authorization from the landlord, and cannot file suit in its own name or seek a money judgment. If the eviction becomes contested, meaning a hearing is required, the manager cannot take any further action. Only an attorney is authorized to handle contested evictions on behalf of a landlord.

If the party who is filing the lawsuit (Plaintiff) is not represented by an attorney, then the Plaintiff must file an affidavit stating that he/she is either the owner, lessor, landlord or the landlord’s agent.

If you are acting as a landlord’s agent, you must **also** attach a **copy of your written authorization** or contract to act as the landlord’s agent. Such a document may be an executed property management agreement. If you elect not to file the agreement, the owner shall complete the Affidavit of Owner and Consent. Your failure to attach the written agreement/contract or to file the owner’s consent affidavit may result in a delay or denial of the eviction.

Also, your failure to attach the lease/written agreement/contract or file the owner's consent affidavit may result in a delay or denial of the eviction.

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority personally appeared _____,
who being duly sworn, deposed and says:

1. The Plaintiff in this action is the _____ (insert the word "landlord", "owner" or "lessor") of the property located at:
_____, Lee County, Florida.
2. My name is _____, and I am the
(insert the word "landlord", "owner", "lessor" or "landlord's agent").
3. I have read the complaint, and I have personal knowledge of the facts and matters detailed in it. The facts set forth in the complaint are true.

Signature _____

Print Name _____

SWORN TO AND SUBSCRIBED before me this ____ day of _____, 20 ____ by:
_____ who is () personally known to me **or** () presented
_____ as identification.

My Commission Expires:

Notary Public or Deputy Clerk

(If this matter is being **filed by an owner's agent or property manager**, then the actual owner of the property must give written authorization to complete, sign and file the eviction action. The agent must attach the agreement/contract or the owner must complete the Affidavit of Owner and Consent.)

2

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AFFIDAVIT OF OWNER AND CONSENT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority personally appeared _____,
who being duly sworn, deposed and says:

1. I, _____, am the **owner** of the property at,
_____.
 2. I hereby give my consent to my property manager or agent,
_____, to complete, sign, file and handle this eviction.
1. I understand that should this matter become a “contested eviction” that I or my licensed Florida attorney shall be required to attend all court proceedings and that my property manager will not be permitted to handle the eviction process.

Signature _____

Print Name

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____ by:

_____ who is () personally known to me **or** () presented
_____ as identification.

My Commission Expires:

Notary Public or Deputy Clerk