

\_\_\_\_\_  
Plaintiff's Name (Insert name of Landlord)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Email Address

-VS-

Case No. \_\_\_\_\_

\_\_\_\_\_  
Defendant (Insert name of Tenant(s))

## Eviction Summons for Possession and Damages

**TO:** \_\_\_\_\_  
(Insert name and address of Tenant)

### PLEASE READ CAREFULLY

You are being sued by \_\_\_\_\_ (Insert name of Landlord) to require you to move out of the property located at \_\_\_\_\_ for the reasons given in the attached complaint.

You are entitled to a trial to decide whether you can be required to move, but you **MUST** do **ALL** of the things listed below. You must do them within 5 days (not including Saturday, Sunday, or legal holidays) after the date these papers were given to you or to a person who lives with you or were posted at your home.

### THE THINGS YOU MUST DO TO CHALLENGE THE EVICTION ARE AS FOLLOWS:

1. Write down the reason(s) why you think you should not be forced to move. The written reason(s) must be given to the Clerk of Court at 2075 Dr. Martin Luther King Jr. Blvd, Fort Myers, Florida 33901 or mail to PO BOX 310, Fort Myers, FL 33902.
2. Mail or take a copy of your written reason(s) to:  
\_\_\_\_\_  
(Insert name and address of Landlord).
3. Pay to the Clerk of the Court the amount of rent that the attached complaint claims to be due and **MUST** pay any rent that becomes due until the lawsuit is over. Payment must be made by cash, cashier's check or money order. The Clerk's fee must be paid in addition to the monies deposited. Please refer to the current fee schedule. If you believe that the amount claimed in the complaint is incorrect, you should file with the Clerk of the Court a motion to have the court determine the amount to be paid. If you file a motion, you must attach any

documents supporting your position and mail or give copy of the motion with attachments to the plaintiff/plaintiff's attorney.

4. If you file a motion to have the court determine the amount of rent to be paid to the Clerk of the Court, you must immediately contact the office of the judge to whom the case is assigned to schedule a hearing to decide what amount should be paid to the Clerk of the Court while the lawsuit is pending.
5. Whether you win or lose the lawsuit, the Judge may order the Clerk to disburse any rent deposited to the Landlord. (By statute, public housing tenants or tenants receiving rent subsidies shall be required to deposit only that portion of the full rent for which the tenant is responsible pursuant to federal, state, or local program in which they are participating.)

**IF YOU DO NOT DO ALL OF THESE THINGS WITHIN 5 DAYS (NOT INCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS FOR YOUR COURTHOUSE) YOU MAY BE EVICTED WITHOUT A HEARING OR FUTHER NOTICE.**

If the attached complaint also contains a claim for money damages (such as unpaid rent), you must respond to that claim separately. You must write down the reasons why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk of Court at the address specified in paragraph (1) above, and you must mail or give a copy of your written reasons to the plaintiff/plaintiff's attorney at the address specified in paragraph (2) above. This must be done within 20 days after the date these papers were given to you or to a person who lives with you. This obligation is separate from the requirement of answering the claim for eviction within 5 working days after these papers were given to you or to a person who lives with you or were posted at your home.

You are commanded to serve this Summons and a copy of the Complaint in this lawsuit on the above named Defendant.

Date: \_\_\_\_\_

Kevin C. Karnes, Clerk of Court

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