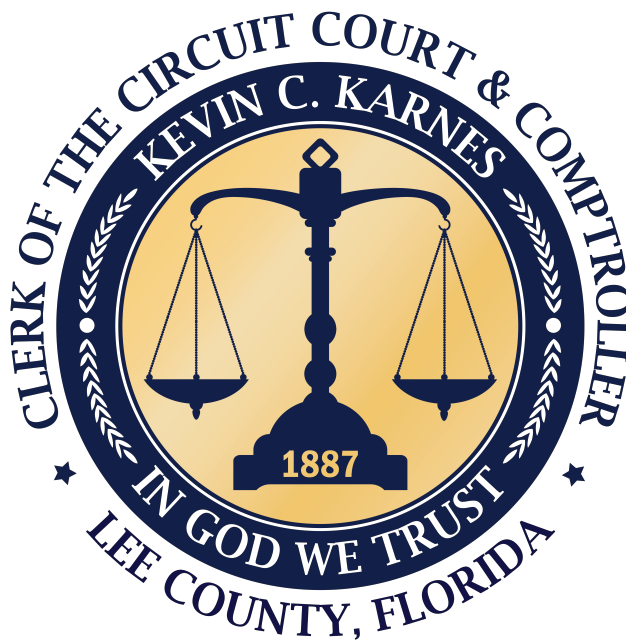


Kevin C. Karnes

Clerk & Comptroller



Eviction - Residential

Non-Payment of Rent

Pursuant to F.S. 454.18 & 28.215: Florida Law prohibits the Clerk’s Office from assisting you with the management of your case. The Clerk’s office is without authority to advise or instruct a party in filing a case for tenant eviction. If you are not certain how to prepare these papers and file your case, you should seek legal assistance prior to proceeding. Please note that the forms referenced are for residential tenant evictions for non-payment of rent. If you have a commercial, agricultural, or personal property lease we suggest you consult with an attorney.

These documents are to serve as a guide only, and to assist pro se (self-represented) litigants with their cases. Any person using these instructions and/or forms does so at his or her own risk, and the Clerk shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

Resources:

Turbo Court www.Turbocourt.com (602) 452-3519 PASupport@courts.az.gov	Lee County Legal Aid Society www.leecountylegalaid.org (239) 334-6118	Clerk of Court Self- Help Center 2075 Monroe Street Fort Myers, FL 33901
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Ways to file your eviction:

- Turbo Court www.Turbocourt.com
- Efile (electrically filing) - <https://www.myflcourtaccess.com/>
- By paper
 - Mail to: Lee County Clerk of Court at PO BOX 310 Fort Myers FL 33902
 - Walk in locations
 - ❖ Cape Coral
1039 SE 9th Place 2nd Floor
Cape Coral FL 33990
 - ❖ Lee County Justice Center
2075 Martin Luther King BLVD
Fort Myers FL 33901

Fees:

Clerk's Fees:

• Filing Fees	\$185.00
• Summons issuance fee per defendant	\$10.00 per Defendant
• Copy work self-service using our Self-Help Room	.15 cents per page
• Copy work	\$1.00 per page
• Certified Copies	\$2.00 per document
• Postage paid envelopes (standard size)	.88 cents per envelope
• Postage paid envelopes (manila)	\$1.50 per envelope
• Oath	\$3.50 per signature
• Notary	\$10.00 per signature

Note:

- Clerk's office accepts cash, personal checks, money order, and cashier's check. Checks are to be payable to the Lee County Clerk of Court.

Sheriff's Fee:

- Summons service fee \$40.00 per defendant
- Writ of Possession \$90.00 Serving Writ of Possession

Note:

- Sheriff's only accepts cash, money order or cashier's checks. Make payment payable to Lee County Sheriff. NO personal checks accepted.
- You may hire a private process server to serve the summons, but must have the sheriff's service the Writ of Possession.

Checklist

Landlord – Owner Eviction Non-payment of Rent

	Document Name	Form#	Form Location
Step 1	<input type="checkbox"/> Notice From Landlord to Tenant – Termination for Failure to Pay Rent	Form 1	www.floridabar.org
	<input type="checkbox"/> Complaint for Landlord to Evict Tenants (Possession ONLY)	Form 5	www.floridabar.org/
	<input type="checkbox"/> Civil Cover Sheet	Form 1.997	www.leeclerk.org

OR

Step 2 Select the Eviction Summons that applies	<input type="checkbox"/> Complaint for Landlord to Evict Tenants for Failure to Pay Rent and Recover Past Due Rent (Possession and Damages) “Count 2”	Form 5A	www.floridabar.org/	
	<input type="checkbox"/> Affidavit of Ownership and Notice to Parties	Local Form TE-A	www.leeclerk.org	
	<input type="checkbox"/> Consent to Case Closure After 90 Days of Inactivity (Possession ONLY)	Local Form	www.leeclerk.org	
	<input type="checkbox"/> Summons – Residential (Possession ONLY)	Local Form	www.leeclerk.org	
	<input type="checkbox"/> Summons – Action for Back Rent and Damages	Local Form	www.leeclerk.org	
	<input type="checkbox"/> Summons for Possession and Damages (Possession & Damages)	Local Form	www.leeclerk.org	
	<input type="checkbox"/> Motion for Clerk’s Default – Residential Eviction	Form 76	www.floridabar.org/	
	<input type="checkbox"/> Motion for Default for Failure to Deposit Rent Residential Eviction	Local Form TE-B	www.leeclerk.org	
	Step 3	<input type="checkbox"/> Default as to Failure to Deposit Rent – Residential Eviction	Local Form TE-C	www.leeclerk.org
		<input type="checkbox"/> Nonmilitary Affidavit (May be required by the Judge)	Form 81	www.floridabar.org/
<input type="checkbox"/> Final Judgment – Eviction		Form 66	www.floridabar.org/	
Step 4	<input type="checkbox"/> Writ of Possession	Form 11	www.floridabar.org/	

Count 2 – Tenant must have been served with a 20-day summons

Step 5	<input type="checkbox"/> Motion for Clerk’s Default – Damages	Form 77	www.floridabar.org
	<input type="checkbox"/> Motion for Default Final Judgment – Damages	Form 79	www.floridabar.org/
	<input type="checkbox"/> Affidavit of Damages	Form 80	www.floridabar.org/
	<input type="checkbox"/> Final Judgment – Damages	Form 9	www.floridabar.org/

Copy & Envelope Requirements



S.A.S.E required for all tenant(s)



S.A.S.E required for all Landlord and Tenant(s)

Tenant(s)	Notice	Complaint & Attachments i.e. Lease Agreement	Affidavit of Ownership	Summons 	All Motions 	All Defaults	Final Judgment 	Writ of Possession
1	3	3	1	3	3	3	3	2
2	5	5	1	6 (3 per tenant)	4	4	4	2
3	7	7	1	9(3 per tenant)	5	5	5	2
4	9	9	1	12 (3 per tenant)	6	6	6	2
5	11	11	1	15 (3 per tenant)	7	7	7	2