

Attorney for Plaintiff(s) Name / Address / Email / Phone Bar Number



Maricopa County Justice Courts, Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

COMPLAINT (Eviction Action)

Residential Mobile Home Commercial Immediate

YOUR LANDLORD IS SUING TO HAVE YOU EVICTED, PLEASE READ CAREFULLY

1. This court has jurisdiction to hear this case. The property is within this court's judicial precinct and is located at: _____
The business name of the property, if any, is: _____
2. The Defendant wrongfully withholds possession of this property.
3. Any required written notice was served on the Defendant on _____ and was served in the following manner: _____ . A copy of this notice is attached to this complaint.
4. The rental is is not in a building with five or more units that had a mortgage backed by Fannie Mae or Freddie Mac (FHFA), the Federal Housing Administration (FHA), the U.S. Department of Agriculture (USDA), or the Veterans Administration (VA) for which the borrower was receiving mortgage forbearance relief.
5. The Plaintiff has has not; received rental assistance from any source based on Defendant's rental obligation. If received, the amount received was \$ _____ , which has been applied toward the obligation (a copy of the ledger is attached).
6. The Plaintiff has has not; obtained a prior judgment against the Defendant between March 2020 and September 2021 that has not been vacated. If so, the amounts in this Complaint are exclusive of the damages awarded in the prior judgment.
7. The property is is not in a multifamily property (five or more units) with a mortgage backed by Fannie Mae or Freddie Mac (the Enterprises).
8. The Plaintiff wants you evicted and wants possession of the rental for the reasons stated in section 12.
9. Any required written notice was served on the Defendant on _____ and was served:
 by hand by certified mail, or other (explain): _____
10. A copy of the notice that was served is attached.
11. This case involves a subsidized rental property.
12. The Plaintiff is the owner or is authorized by law to file this case on behalf of the owner.
13. The Plaintiff claims (check and complete all that apply):

NON-SUBSIDIZED HOUSING: The Defendant has failed to pay the rent owed. The rent is unpaid since _____ . There is a prior unpaid balance of \$ _____ . The rental agreement requires rent of \$ _____ to be paid on the _____ day of each month week. The rental agreement provides for late fees calculated in the following manner: _____

SUBSIDIZED HOUSING: The Defendant has failed to pay the rent owed.
The total amount of monthly rent is \$ _____ . The Tenant's portion of that monthly rent is \$ _____ .
Housing assistance payment per month is \$ _____ . The current outstanding balance owed by the tenant is \$ _____ .

Notice: If you are a residential tenant and the only allegation from your landlord is that you have not paid your rent, you may contact your landlord or your landlord's attorney and offer to pay all of the rent due, plus any reasonable late fees, court costs and attorney's fees. If you pay these amounts prior to a judgment being entered, then this case will be dismissed and your lease will be reinstated and will continue.

NON-COMPLIANCE: After receiving a notice, the Defendant failed to do the following:

on the _____ day of _____, at the following location _____.

IRREPARABLE BREACH: The Defendant has committed a material and irreparable breach. Specifically, on the _____ day of _____, the Defendant did the following:

at the following location: _____.

OTHER ALLEGATIONS OF NON-COMPLIANCE ON WHICH EVICTION ACTION IS BASED: State the date or dates notice of non-compliance was given and attach a copy of each notice, if applicable, to the Complaint:

14. As of the date that this action is being filed, the Defendant owes the following:

Rent (current and prior months accrued since filing) Totaling:	\$ _____
Late fees (if any in written agreement)	\$ _____
Utilities (as authorized by law)	\$ _____
Other fees or charges (as authorized by law) _____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Rental Concessions (if any in written agreement):	\$ _____
Specify how calculated: _____	
Reimbursable court costs	\$ _____
Attorneys fees (if allowed):	\$ _____
Other allegations of damages (as authorized by law)	\$ _____
Total Amount Requested:	\$ _____

15. The Plaintiff requests a Judgment for the amounts owed above and for possession of the rental, plus after accruing rent and late fees due as of the date of the judgment, court costs and attorney fees.

16. WRIT OF RESTITUTION: The Plaintiff requests the court issue a Writ of Restitution returning the rental to the Plaintiff's possession 5 calendar days after the date of the Judgment. If the eviction is for the material and irreparable breach explained above, return of possession is requested 12 to 24 hours from the time of the Judgment. (Applies to material and irreparable breach only)

17. By signing this complaint. I am agreeing that the allegations written are true and correct to the best of my knowledge.

Date: _____

Plaintiff/Attorney for Plaintiff

Please inform court staff if interpreter services are required.
 Yes, I need interpreter services. Language: _____



Maricopa County Justice Courts, Arizona

<http://justicecourts.maricopa.gov/>

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

Attorney for Plaintiff(s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

SUMMONS (Eviction Action) Amended
 Virtual Telephonic

THE STATE OF ARIZONA TO THE DEFENDANT(S) NAMED ABOVE:

1. YOU ARE SUMMONED TO APPEAR and answer this complaint in the court named above.

Date: _____ Time: _____ Courtroom #: _____

Be advised that a landlord, tenant, attorney, or witness may participate at the initial hearing through telephone or video conference by contacting the court for directions at least two hours before the hearing, to ensure the court has time to make necessary arrangements.

On the date and time for your scheduled court date, call: _____ when prompted, enter the meeting ID _____ followed by the #.

(Additional instructions from the court may be attached) If you have difficulties or need assistance call the court directly.

Be in court at least 15 minutes before the scheduled hearing.

YOU MUST CHECK IN AT THE FRONT COUNTER BEFORE ENTERING THE COURT ROOM.

(Esté en el tribunal por lo menos 15 minutos antes de la audiencia programada.)

(DEBE REGISTRARSE EN EL MOSTRADOR DELANTERO ANTES DE ENTRAR EN LA SALA DEL TRIBUNAL)

REQUESTS FOR REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES SHOULD BE MADE TO THE COURT AS SOON AS POSSIBLE.

(LAS SOLICITUDES PARA ARREGLOS O ADAPTACIONES RAZONABLES PARA PERSONAS CON DISCAPACIDADES SE DEBEN PRESENTAR ANTE EL TRIBUNAL LO MAS ANTES POSIBLE.)

If an interpreter is needed, please contact the court listed above to request an interpreter be provided.

(En caso de necesitarse un intérprete, favor de comunicarse con el Tribunal antes mencionado para solicitar que se brinden los servicios de un intérprete.)

Please review valuable information and videos at www.azcourts.gov/eviction.

- You must appear at the date and time shown above if you wish to contest the allegations in the attached complaint. For additional information, please see the attached Residential Eviction Procedures Information Sheet.
- IF YOU FAIL TO APPEAR**, a judgment will likely be entered against you, granting the relief specifically requested in the complaint, including removing you from the property.
- If you do not agree with the allegations in the complaint, you may file a written answer admitting or denying some or all of the allegations and pay the required answer fee. If you cannot afford the filing fee, you may apply for a deferral or waiver of the filing fee.
- A trial may be held on the date stated above or it may be continued for up to three days.
- The attorney for the Plaintiff (or the Plaintiff, if the plaintiff does not have an attorney) must be given a copy of your answer and any other pleading you file in this case.

Date: _____

Justice of the Peace



Maricopa County Justice Courts RESIDENTIAL EVICTION INFORMATION SHEET

Notice: A landlord must provide a tenant with written notice saying why the eviction process has started. The tenant should have received this notice before this lawsuit was filed.

Service: The tenant must be served with: the Complaint, Summons, this Residential Eviction Information Sheet, and a copy of relevant portion of lease and/or ledger (if applicable).

Rent cases: If this lawsuit has been filed for not paying rent, the tenant can stop it and continue living in the residence by paying all rent now due, late fees, attorney's fees and court costs. After a judgment has been granted, reinstatement of the lease is solely in the landlord's discretion. Inability to pay rent is not a legal defense and the judge cannot give more time to pay, even if the tenant is having financial problems.

Before Court: Eviction cases move through the court system very quickly. If the tenant disagrees with the landlord's allegations, the tenant is encouraged to file a written answer. The answer form available from the court allows the tenant to admit or deny the allegations and explain his or her position. If the tenant cannot afford to pay the answer fee, he or she may apply for a waiver of that fee. If a tenant believes that the landlord owes him or her money, the tenant may under some circumstances file a counterclaim. The summons states that a trial will occur on the date listed, but due to the high volume of cases, a trial may not occur then. If the tenant fails to appear, and the landlord or his attorney is present, a judgment will probably be entered against the tenant. Tenants can represent themselves or arrange for lawyers to represent them. The court will not provide a lawyer.

A landlord, tenant, attorney, or witness will be permitted to participate at the initial hearing by telephone or video conference and should contact the court at least two hours before the hearing to obtain information about how to connect to the hearing.

At Court: At the time listed on the summons, the judge will start calling cases. If both parties are present, the judge will ask the tenant whether the complaint is true. If the tenant says no, he or she will need to briefly tell the judge why. If the reason appears to be a legal defense, the judge will need to hear testimony from both sides and make a decision after a trial. After talking to the landlord or its attorney, a tenant may wish to agree to what the landlord is requesting by signing a "stipulation". A stipulation is an agreement under which the parties resolve the dispute on the basis of what the agreement says. Only matters contained in the written agreement can be enforced. These agreements should be clear and understandable by both parties. Most stipulations include judgments against tenants. See below.

Continuances: Either party may ask that the court date be delayed. The court will agree only if there is a very good reason. A delay will be no more than three business days. There is no assurance a delay will be granted and parties should come to court prepared for trial and bring necessary witnesses and documents.

After a Judgment: If a landlord receives a judgment, it may apply for a writ of restitution to remove the residents. Writs of Restitution are served by constables, who will direct the residents to leave. A tenant may avoid the difficulties associated with a writ of restitution by vacating the property and returning the keys to the landlord. This ends his or her possession of the residence. If the tenant wants to continue to live in the residence after a judgment has been entered, the tenant will need to obtain the landlord's approval and sign a new lease. A tenant will have five (5) days to vacate the premises unless evicted for criminal activity, in which case the tenant has only twelve (12) to twenty four (24) hours to vacate. A judgment will probably appear on a tenant's credit report for several years. Parties wishing to appeal from a judgment have five days to do so after the judgment is entered and can obtain forms and information from the court filing counter. If a tenant wants to remain in the rental home during the appeal, the tenant must also pay a "supersedeas bond" to suspend the judgment while the case is being reviewed. If the tenant prevails the court will dismiss the case.

Sources of Additional Information: You can get copies of the Arizona Residential Landlord Tenant Act, the Arizona Mobile Home Parks Residential Landlord and Tenant Act and the Long Term Recreational Vehicle Rental Space Act from a library or from the Secretary of State's office or web page: www.azsos.gov, <https://www.azcourts.gov/eviction>, or <https://www.azcourthelp.org/>. In Maricopa County if you wish to consult an attorney, you may want to contact the Arizona State Bar Attorney Referrals Line at (602) 257-4434 or Community Legal Services at (602) 258-3434. Contact the court in other counties for similar referrals. You can obtain a summary of the obligations of landlords and tenants on the web page for justice courts in Maricopa County: <http://justicecourts.maricopa.gov/>.