



## **JUDGE LINDA SALAZAR**

JUSTICE OF THE PEACE PCT. 2, PL. 1  
835 E. LEVEE ST. BLDG. (2<sup>ND</sup> FLOOR)  
BROWNSVILLE, TX 78520  
TEL (956) 544-0857  
FAX (956) 548-9573

### **INFORMATION FOR FORCIBLE EVICTION**

#### **\*THE RULES OF JUDICIAL ETHICS PROHIBITS THIS OFFICE FROM GIVING LEGAL ADVICE OR HEARING YOUR CASE WITHOUT THE PRESENCE OF THE DEFENDANT OR PLAINTIFF**

If you are processing a forcible eviction of a tenant, you must have a copy of a written notice informing the tenant that they have to move out and pay the total rent owed.

Filing of a **Forcible Eviction** case costs **\$138.00**(to sue a 2<sup>nd</sup> defendant add \$90.00) and it will be added to the Judgment **if you request it**. Once you present your completed Forcible Eviction form and the **\$138.00 to the Justice of the Peace office (if suing 2<sup>nd</sup> defendant add \$90.00)**, your court hearing will be scheduled... Hearings are scheduled 10-21 days from date of filing.

If you win the Judgment, the tenant has to vacate premises as ordered. If the occupant has not moved out the property owner can request a **Writ of Possession** for the amount of **\$207.00** (\$7.00 for the writ and \$200.00 for the service by the constable) at the office of the Justice of the Peace. A Peace Officer will then physically remove the tenant within the time required by law.

If after the Judgment, the tenant has not paid the rent stated in the Judgment, then the property owner can request an **Abstract of Judgment** for **\$7.00**. The Abstract of Judgment is a credit lien on any property that the tenant may buy or sell within the next ten (10) years.

### **EXAMPLE OF AN EVICTION LETTER**

To: Name of Tenant and any other occupants  
Address

Our files indicate that you are past due on your rent. You are being notified that you have \_\_\_\_ days to vacate the premises from the above address or pay the rent of \$\_\_\_\_ plus late fees of \$\_\_\_\_ with a total amount \$\_\_\_\_. If you fail to vacate or pay the total amount of rent due by (date), we will commence the legal action at the office of the Justice of the Peace and any attorney fees or other costs, which we incur, will be added to the total cost of your eviction.

Please contact our office as soon as possible to resolve this delinquency.

Thank you for your attention to this issue.

Sincerely,

Property owner

*\*This is only an example of a letter for past due rent. Re-type it with your letterhead and change any wording that you feel is more comfortable for you.*

If you have any legal questions you may contact, Legal Aid at 1206 E. Van Buren St, Brownsville TX., or by calling (956) 982-5540 or 1-800-369-2651. Or by going online to [Texaslawhelp.org](http://Texaslawhelp.org)

CAUSE NO. \_\_\_\_\_

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT _____
	§	
_____	§	
DEFENDANT	§	CAMERON COUNTY, TEXAS

**PETITION – EVICTION CASE (WITH TEDP INFORMATION)**

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s): \_\_\_\_\_

\_\_\_\_\_ for eviction from Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the property is:

_____	_____	_____	_____	_____
Street Address	Unit No. (if any)	City	State	Zip

**GROUND FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

- Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s): \_\_\_\_\_ . The amount of rent claimed as of the date of filing is: \$\_\_\_\_\_. Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.
- Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows: \_\_\_\_\_
- Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or renewal of extension period, which was \_\_\_\_\_, 20\_\_\_\_.

**NOTICE TO VACATE:** Plaintiff has given Defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on \_\_\_\_\_, 20\_\_ by this method: \_\_\_\_\_

**SUIT FOR RENT:** Plaintiff  does or  does not include a suit for unpaid rent.

**ATTORNEY'S FEES:** Plaintiff  will be or  will not be seeking applicable attorney's fees. The attorney's name, address, phone and fax numbers are: \_\_\_\_\_

**IMMEDIATE POSSESSION BOND:** If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the Court set the amount of the bond; (2) the Court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

**SERVICE OF CITATION:** Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other home or work addresses where Defendant(s) may be served are:

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Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

**RELIEF:** Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

- I hereby request a jury trial. The fee is \$24 and must be paid at least 3 days before trial.
- I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: \_\_\_\_\_
- I have reviewed the information about the Texas Eviction Diversion Program available at [www.txcourts.gov/eviction-diversion/](http://www.txcourts.gov/eviction-diversion/).

Plaintiff's Printed Name

Signature of Plaintiff or Agent or Attorney

**Defendant's Information (if known):**

Date of birth: \_\_\_\_\_

Last three digits of Driver License: \_\_\_\_\_

Last three digits of Soc. Sec. No.: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Address of Plaintiff or Agent or Attorney

Phone & Fax No. of Plaintiff/Agent/Attorney

**SWORN TO AND SUBSCRIBED** on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

CAUSE NO. \_\_\_\_\_

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT _____
	§	
_____	§	
DEFENDANT	§	CAMERON COUNTY, TEXAS

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_____	_____	_____	_____	_____
Street Address	Unit No. (if any)	City	State	Zip

**GROUND FORS FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

- Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s): \_\_\_\_\_ . The amount of rent claimed as of the date of filing is: \$ \_\_\_\_\_ . Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.
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- I hereby request a jury trial. The fee is \$24 and must be paid at least 3 days before trial.
- I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: \_\_\_\_\_.
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Plaintiff's Printed Name

Signature of Plaintiff or Agent or Attorney

**Defendant's Information** (if known):

Date of birth: \_\_\_\_\_

Last three digits of Driver License: \_\_\_\_\_

Last three digits of Soc. Sec. No.: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Address of Plaintiff or Agent or Attorney

Phone & Fax No. of Plaintiff/Agent/Attorney

**SWORN TO AND SUBSCRIBED** on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

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

\_\_\_\_\_  
VS.  
\_\_\_\_\_

)  
)  
)  
)  
)  
)

IN THE JUSTICE COURT  
PRECINT 2 PLACE 1  
CAMERON COUNTY, TEXAS

**SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT**

Plaintiff being duly sworn on oath deposes\* and says that defendant(s) is (are)

(CHECK ONE)

- not in the military
- not on active duty in the military and/or
- not in a foreign country on military service
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF

Subscribed and sworn to before me no this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Notary Public in and for the State of Texas

\_\_\_\_\_  
SEAL

**\*Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.**



# STATE OF TEXAS

## EVICITION DIVERSION PROGRAM

The Texas Eviction Diversion Program (TEDP) Set-Aside of the Texas Rent Relief (TRR) Program helps Texas tenants stay in their homes and provides landlords an alternative to eviction.

The TEDP may provide up to 15 months of rental and utility assistance for eligible tenants who are behind on their rent due to the COVID-19 pandemic and have been sued for eviction. Both the tenant and the landlord must agree to participate and meet the requirements listed on the back of this page.

This temporary program is a unique partnership between the Supreme Court of Texas, Texas Office of Court Administration (OCA), and the Texas Department of Housing and Community Affairs (TDHCA).

- ❑ If the rent is below the TRR Program maximum, assistance can be used to pay the contracted rent for all past due rent as far back as March 13, 2020 (up to 12 months), plus up to 3 months of current/future rent. An additional 3 months (not to exceed the total of 15 months) may be provided upon re-application if necessary to ensure housing stability and if funds are available.
- ❑ The TEDP allows courts to put eviction lawsuits on hold so that the tenant may apply for available rental assistance. When approved, lump sum payments are provided to landlords for past-due rent and late fees in exchange for allowing tenants to remain in their homes and covering court costs. The payment to landlord is generally within 14 days of a complete application being received. Diverted cases will be dismissed and made confidential from public disclosure.
- ❑ Tenants are ineligible if they are receiving tenant-based voucher assistance, such as a Housing Choice Voucher, project-based Section 8 or are living in public housing, or have already received rental assistance from another source for the same time period.

March 8, 2021

**Eligibility Requirements:**

- Assistance for rent and reasonable late fees (stemming from non-payment of rent) no older than March 13, 2020
- Contract rent for the household assisted may not exceed the TDHCA maximum limits (limits available by zip code and county at [TexasRentRelief.com](http://TexasRentRelief.com))
- Must have a bank account and accept direct deposit
- Units are **INELIGIBLE** if tenants are receiving tenant-based voucher assistance, such as a Housing Choice Voucher, project-based Section 8 or are living in public housing, or have already received rental assistance from another source for the same time period

**Documents Needed:**

- Government-issued or personal ID (only if individual/sole proprietor)
- Lease agreement (or if no lease agreement, landlord attestation as part of the application regarding term and amount of rent)
- Completed IRS Form W-9
- Direct Deposit Information
- Proof of Ownership (real property record/Appraisal District information)

**You will be required to certify that you:**

- Will waive any fees or penalties not covered by TEDP/TRR, and not pass court costs on to the tenant
- Have not received assistance from another program for the same months of rent for this household and will not apply in the future for the covered months
- Will release the tenant from payment liability for this time period, waive all claims raised in the eviction case, and not evict the tenant for the period covered by TEDP/TRR
- Will reimburse the TEDP/TRR within 10 business days if you receive rent payment for this same unit and time period

**Eligibility Requirements:**

- Household has been sued for eviction from primary residence, located in Texas, and has eviction court docket number
- Household income at or below 80% of Area Median Income (limits available by county at [TexasRentRelief.com](http://TexasRentRelief.com))
- **AND** one or more of the household members:
  - Qualified for unemployment benefits on or after March 13, 2020; OR
  - Attest in writing that due to or during the pandemic they have:
    - Experienced a reduction in household income,
    - Incurred significant costs, or
    - Experienced financial hardship
- **AND** households must demonstrate:
  - That they are at risk of homelessness or housing instability by providing an eviction notice or past-due utility or rent notice; OR
  - Attest that unless they receive rental assistance, they would have to move to an unsafe/unhealthy environment like a shared living situation or emergency shelter

**Documents Needed:**

- Government-issued or personal ID of a person on the lease
- Lease agreement (or if no lease, rent receipt for the three most recent complete months paid)
- Income documentation:
  - If household has 6 or fewer members, recent SNAP or LIHEAP eligibility or recent SSI eligibility for the head or co-head of household, OR
  - Recent income certification from an affordable property, OR
  - Annual income documentation for 2020, OR
  - Income evidence for past 30 days (self-attestation allowed in some circumstances, more details on [TexasRentRelief.com](http://TexasRentRelief.com))
- Notices of late rent payment or notice to evict, including court docket number, Justice of the Peace precinct, and county
- Past due utility bills, if utility assistance is being requested
- Unemployment documentation, if applicable

**You will be required to certify that you:**

- Have not received rental assistance for the same months of rent or the rental assistance received was less than the full amount owed, and will not seek such assistance in the future for the covered months
- Will reimburse the TEDP/TRR within 10 business days if you receive rent (or utility) payment for this same time period

Tenant and Landlord both apply online ([TexasRentRelief.com](http://TexasRentRelief.com)) or by phone (833-9TX-RENT)  
 If Texas Rent Relief application is eligible and complete, payment to landlord is generally within 14 days

**For Questions**

**Program Eligibility, Process and Application:** [TexasRentRelief.com](http://TexasRentRelief.com) | 833-9TX-RENT / 833-989-7368  
**Court Process:** [txcourts.gov/eviction-diversion](http://txcourts.gov/eviction-diversion) | 855-270-7655 (Texas Legal Service Center)







# ESTADO DE TEXAS

## PROGRAMA DE PREVENCIÓN DE DESALOJO

El Programa de Prevención de Desalojo de Texas (TEDP, por sus siglas en inglés) trabaja junto al Programa de Asistencia para el Pago de Rentas de Texas (TRR, por sus siglas en inglés) para ayudarles a los habitantes de Texas a permanecer en sus hogares y al mismo tiempo proporcionarles a los propietarios una alternativa al desalojo.

El TEDP puede ofrecer hasta 15 meses de asistencia para el pago de rentas y servicios públicos a los habitantes elegibles de Texas que estén atrasados con el pago de rentas como resultado de la pandemia del COVID-19 y que viven en unidades cuyos propietarios ya han iniciado procesos legales de desalojo. Tanto los inquilinos como los propietarios deben estar de acuerdo de participar en el programa y cumplir con los requisitos detallados en la parte de atrás de esta página.

Este programa temporal es una colaboración única entre la Corte Suprema de Texas, la Oficina de Administración de Tribunales de Texas (OCA, por sus siglas en inglés), y el Departamento de Vivienda y Asuntos Comunitarios de Texas (TDHCA, por sus siglas en inglés).

- ☒ Si el valor de la renta es menor al máximo establecido por el Programa TRR, la asistencia puede ser utilizada para pagar las rentas vencidas del contrato a partir del 13 de marzo del 2020 (hasta 12 meses) y hasta tres meses de rentas actuales/futuras. Si aún hay fondos disponibles, podrían proveerse tres meses adicionales de ayuda (que no deben sobrepasar el total de 15 meses) después de volver a aplicar, si estos meses fueran necesarios para lograr estabilidad en sus condiciones de vivienda.
- ☒ El TEDP utiliza un proceso judicial especial que le permite a las cortes detener las demandas de desalojo para que los inquilinos puedan solicitar asistencia para rentas que esté disponible. Cuando es aprobada, la asistencia hace pagos globales a los propietarios para cubrir las rentas vencidas y los recargos por rentas atrasadas, a cambio de permitir que los inquilinos permanezcan en su hogar y cubrir los costos de los procesos legales. El pago a los propietarios generalmente se hace dentro de un período de 14 días después de haberse recibido una aplicación completa. Los casos desviados serán desestimados y se mantendrán confidenciales de divulgación pública.
- ☒ Los inquilinos no son elegibles si están recibiendo asistencia por medio de vales asignados a inquilinos, como los Cupones de Elección de Vivienda, asistencia basada en proyectos (Sección 8) o si viven en vivienda pública, o ya han recibido asistencia para el pago de rentas de otra fuente para el mismo período de tiempo.

## Requisitos de elegibilidad:

- ❑ Asistencia para rentas y recargos razonables por rentas atrasadas (como resultado del incumplimiento del pago de rentas) no anteriores al 13 de marzo del 2020
- ❑ La asistencia al inquilino por el valor de la renta contratada no puede exceder el límite máximo establecido por el TDHCA (límites disponibles por código postal y condado en [TexasRentRelief.com](https://www.texasrentrelief.com))
- ❑ Debe tener una cuenta bancaria y aceptar pagos directos
- ❑ Las unidades de vivienda NO SON ELEGIBLES si los inquilinos están recibiendo asistencia por medio de vales asignados a inquilinos, como los Cupones de Elección de Vivienda, asistencia basada en proyectos (Sección 8) o si viven en vivienda pública, o si ya han recibido asistencia para el pago de rentas de otra fuente para el mismo período de tiempo

## Documentación necesaria:

- ❑ Documento de identificación emitido por el gobierno o identificación personal (únicamente si el propietario es una persona individual/propietario único)
- ❑ Contrato o acuerdo de arrendamiento (o si no existe un contrato, una declaración del propietario como parte de la aplicación en relación con los términos del contrato y la cantidad de renta)
- ❑ Formulario W-9 del Servicio de Rentas Internas (IRS, por sus siglas en inglés) completo
- ❑ Información para hacer un depósito directo
- ❑ Constancia de propiedad (registro de la propiedad privada/información del avalúo del distrito)

## Es necesario que usted certifique que:

- ❑ Renunciará a todos los recargos o penalidades no cubiertos por el TEDP/TRR, y no le trasladará los costos del proceso legal al inquilino
- ❑ No ha recibido asistencia de otro programa para los mismos meses de renta para este mismo inquilino, y no aplicará en el futuro para los meses cubiertos
- ❑ Liberará al inquilino de responsabilidad por el pago de rentas para este período de tiempo, renunciará a todos los reclamos hechos en relación con el proceso de desalojo, y no desalojará al inquilino durante el período cubierto por el TEDP/TRR
- ❑ Reembolsará al TEDP/TRR dentro de los siguientes 10 días hábiles si recibe el pago de renta para esta misma unidad y este mismo período de tiempo

## Requisitos de elegibilidad:

- ❑ El inquilino ha sido demandado para ser desalojado de su residencia en Texas y le ha sido asignado un número de expediente del proceso legal correspondiente
- ❑ Los ingresos familiares son del 80% o menos del Ingreso Medio del Área (límites disponibles por condado en [TexasRentRelief.com](https://www.texasrentrelief.com))
- ❑ Y uno o más de los miembros de la familia:
  - ❑ Ha calificado para beneficios por desempleo a partir del 13 de marzo del 2020; O
  - ❑ Da fe por escrito que debido a la pandemia o durante la misma ha:
    - Experimentado una reducción en los ingresos de su familia,
    - Tenido que hacer gastos extraordinarios, o
    - Experimentado problemas financieros
- ❑ Y las familias también deben demostrar que:
  - ❑ Están en riesgo de perder su hogar o experimentan inestabilidad en sus condiciones de vivienda, proporcionando una notificación de desalojo o de rentas vencidas o servicios públicos vencidos, O
  - ❑ Certifica que a menos que reciban asistencia para el pago de rentas, tendrían que mudarse a un ambiente poco seguro o poco saludable, como un espacio de vivienda compartida o un albergue de emergencia.

## Documentación necesaria:

- ❑ Documento de identificación emitido por el gobierno o identificación personal de una persona nombrada en el contrato
- ❑ Contrato o acuerdo de arrendamiento (o si no existe un contrato, un recibo de renta de los últimos tres meses completos pagados más recientemente)
- ❑ Documentación de sus ingresos:
  - ❑ Si el hogar está compuesto por seis miembros o menos, demostrar elegibilidad reciente bajo el Programa de Asistencia de Nutrición Suplementaria (SNAP, por sus siglas en inglés), el Programa de Asistencia de Energía para Hogares de Bajos Recursos Económicos (LIHEAP, por sus siglas en inglés), o el Programa de Seguridad de Ingreso Suplementario (SSI, por sus siglas en inglés) para el jefe o co-jefe de familia, O
  - ❑ Certificación de ingresos reciente de una propiedad accesible, O
  - ❑ Declaración de ingresos anual para el 2020, O
  - ❑ Constancia de ingresos de los últimos 30 días (en algunos casos se permite una certificación propia. Más detalles en [TexasRentRelief.com](https://www.texasrentrelief.com))
- ❑ Notificación de rentas vencidas o de desalojo, incluyendo el número de expediente del proceso legal correspondiente, el número de distrito del Juez de Paz, y el condado
- ❑ Facturas de servicios públicos vencidas, si se está solicitando asistencia para servicios públicos
- ❑ Documentación acerca del desempleo, si aplica

## Es necesario que usted certifique que:

- ❑ No ha recibido asistencia para los mismos meses de renta, o la asistencia recibida fue menor que la cantidad total adeudada, y no buscará asistencia en el futuro para los meses cubiertos
- ❑ Reembolsará al TEDP dentro de los siguientes 10 días hábiles si recibe dinero para pagar la renta (o servicios públicos) para el mismo período de tiempo

Los inquilinos y propietarios pueden aplicar en línea en [TexasRentRelief.com](https://www.texasrentrelief.com) o por teléfono al 833-9TX-RENT. Si la aplicación para el Programa de Asistencia para el Pago de Rentas es elegible y está completa, el pago para el propietario generalmente se hace dentro de un período de 14 días.

## Si tiene preguntas sobre:

Elegibilidad, proceso y aplicación para el programa: [TexasRentRelief.com](https://www.texasrentrelief.com) | 833-9TX-RENT / 833-989-7368

Proceso legal: [txcourts.gov/eviction-diversion](https://txcourts.gov/eviction-diversion) | 855-270-7655 (Centro de Servicios Legales de Texas)

