

FORM COUNTY CIVIL – SUMMONS

This form should be used to obtain personal service on the other party when you begin your lawsuit. Service is required for all documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires.

IMPORTANT

IF THE OTHER PARTY CANNOT BE FOUND (SERVED):

Pursuant to Florida Statute 48. 183, if the tenant cannot be found in the county or there is no person 15 years of age or older residing at the tenant's usual place of abode in the county, after at least two attempts to obtain service, the summons may be served by attaching (posting) a copy to a conspicuous place on the property described in the complaint.

If the landlord anticipates the tenant being served by posting, the landlord shall provide the Clerk and Comptroller with:

1. A copy of the complaint for each tenant.
2. A prestamped envelope addressed to each tenant at the premises involved in the proceeding. (Legal size envelope please)

The Clerk and Comptroller will immediately mail the copy of the summons and complaint by first-class mail, note the fact on the docket, and file a certificate in the court file of the fact and date of mailing.

Service shall be effective on the date of posting or mailing, whichever occurs later, and at least 5 days MUST elapse from the date of service before a judgment for final removal of the defendant may be entered.

Failure to complete this step may cause a delay in processing your case.

**IN THE COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA**

(Insert name of Landlord)
Plaintiff(s),
vs.

Case No.: _____
Section: _____

(Insert name of Tenant)
Defendant(s)

EVICITION SUMMONS/RESIDENTIAL

TO: _____

PLEASE READ CAREFULLY

You are being sued by _____, to require you to move out of the place where you are living for the reasons given in the attached complaint.

You are entitled to a trial to determine 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 any legal holiday) after the date these papers were given to you, or a person who lives with you, or were posted at your home.

THE THINGS YOU MUST DO 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 and Comptroller at:

Pasco County Courthouse
38053 Live Oak Avenue
Dade City, FL 33523

West Pasco Judicial Center
7530 Little Road
New Port Richey, FL 34654

(2) Mail or give a copy of your written reason(s) to:

Plaintiff/Plaintiff's Attorney

(3) Pay to the Clerk and Comptroller the amount of rent that the attached complaint claims to be due, along with the registry fee, in accordance with Florida Statute (3% of the first \$500, 1.5% of everything thereafter, effective 7/1/04) and any rent that becomes due until the lawsuit is over. If you believe that the amount claimed in the complaint is incorrect; you should file with the Clerk and Comptroller a motion to have the court determine the amount to be paid. If you file a motion, you must attach to the motion any documents supporting your position and mail or give a copy of the motion to the plaintiff/plaintiff's attorney. Payment must be made by cash, cashier's check, or money order, made payable to Paula S. O'Neil, Clerk and Comptroller.

- (4) If you file a motion to have the court determine the amount of rent to be paid to the Clerk and Comptroller, 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 and Comptroller while the lawsuit is pending.

IF YOU DO NOT DO ALL OF THE THINGS SPECIFIED ABOVE WITHIN 5 WORKING DAYS AFTER THE DATE THAT THESE PAPERS WERE GIVEN TO YOU OR TO A PERSON WHO LIVES WITH YOU OR WERE POSTED AT YOUR HOME, YOU MAY BE EVICTED WITHOUT A HEARING OR FURTHER NOTICE.

- (5) 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 reason why you believe that you do not owe the money claimed. The written reasons must be given to the Clerk and Comptroller 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 or were posted at your home. 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 a person who lives with you or were posted at your home.

THE STATE OF FLORIDA: TO EACH SHERIFF OF THE STATE: You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named defendant.

DATED on _____.

Paula S. O'Neil
Clerk & Comptroller
Pasco County, Florida

(Seal)

BY: _____
DEPUTY CLERK

FOR PROCEEDINGS BEFORE THE COURTS OF PASCO COUNTY

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS SUMMONS PLEASE CONTACT THE PUBLIC INFORMATION DEPT., PASCO COUNTY GOVERNMENT CENTER, 7530 LITTLE RD., NEW PORT RICHEY, FL. 34654; (727) 847-8110 (V) IN NEW PORT RICHEY; (352) 521-4274, EXT. 8110 (V) IN DADE CITY; VIA 1-800-955-8771 IF YOU ARE HEARING IMPAIRED.

- Ret'd Pasco County Sheriff
- Ret'd Process Server
- Ret'd Plaintiff(s)
- Ret'd Atty

THIS IS TO CERTIFY THAT A COPY OF THE FOREGOING WAS MAILED BY REGULAR U.S. MAIL THIS _____ DAY OF _____.

PLAINTIFF PLAINTIFF'S ATTY
 DEFENDANT DEFENDANT'S ATTY
 Other _____

Paula S. O'Neil
Clerk & Comptroller
Pasco County, Florida

BY: _____
DEPUTY CLERK