

**MOTION FOR CLERK AND COMPTROLLER'S DEFAULT – RESIDENTIAL EVICTION**

**MOTION FOR CLERK AND COMPTROLLER'S DEFAULT – DAMAGES (RESIDENTIAL EVICTION)**

**MOTION FOR DEFAULT FINAL JUDGMENT – RESIDENTIAL EVICTION**

**MOTION FOR DEFAULT FINAL JUDGMENT – DAMAGES (RESIDENTIAL EVICTION)**

**AFFIDAVIT OF DAMAGES**

**NON-MILITARY AFFIDAVIT**

The tenant will have five days, after service, to file a written response to a complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the tenant fails to file a written response in that time you are entitled to a judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk and Comptroller's default should be obtained by delivering to the Clerk and Comptroller an executed Motion for Clerk and Comptroller's Default. Motion for Clerk and Comptroller's Default – Residential Eviction should be used to obtain a Clerk and Comptroller's default when the tenant has failed to respond to an eviction complaint and Motion for Clerk and Comptroller's Default – Damages (Residential Eviction) should be used to obtain a Clerk and Comptroller's default when the tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, a Non-Military Affidavit, must be filed with the Clerk and Comptroller. Second, based on the Clerk and Comptroller's default, a default final judgment should be obtained from the judge handling the case. The default final judgment is obtained by delivering to the court a Motion for Default Final Judgment-Residential Eviction and/or a Motion for Default Final Judgment – Damages (Residential Eviction) with an Affidavit of Damages. If you are seeking a Default Final Judgment – Damages (Residential Eviction), a copy of the motion and affidavit must be served on the defendant. The forms provide a certificate of service to be completed establishing proper service of the motion and affidavit.