

**PETITION: REPAIR AND REMEDY**

CASE NO. (court use only) \_\_\_\_\_

In the Justice Court, Precinct \_\_\_\_\_,  
El Paso County, Texas

Tenant: \_\_\_\_\_

VS.

Landlord : \_\_\_\_\_

**Petition For Relief Under Section 92.0563 of The Texas Property Code**

1. COMPLAINT: Tenant files this petition against the above-named Landlord pursuant to Section 92.0563 of the Texas Property Code because there is a condition in Tenant's residential rental property that would materially affect the health and safety of an ordinary tenant. Information regarding residential rental property:

\_\_\_\_\_  
Street address                      Unit no.(if any)                      City                      County                      State                      Zip

Landlord's contact information (to the extent known):

\_\_\_\_\_  
Street address                      Unit no.(if any)                      City                      County                      State                      Zip                      Phone

2. SERVICE OF CITATION: Check the box next to each statement that is true.

- Tenant received in writing Landlord's name and business street address.
- Tenant received in writing the name and business address of the Landlord's management company.
- The name of Landlord's Management company is \_\_\_\_\_. To the tenant's knowledge this is the rent collector's contact information:

\_\_\_\_\_  
Street address                      Unit no.(if any)                      City                      County                      State                      Zip                      Phone

3. LEASE AND NOTICE: Check the box next to each statement that is true.

- The lease is oral.  The lease is in writing.  The lease requires the notice to repair or remedy a condition to be in writing.  The tenant gave written notice to repair or remedy the condition on \_\_\_\_\_.
  - The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on \_\_\_\_\_.
  - Tenant gave oral notice to repair or remedy the condition on \_\_\_\_\_. Name of person(s) to whom notice was given \_\_\_\_\_.
- Place where notice was given \_\_\_\_\_

4. RENT: At the time the Tenant gave notice to repair or remedy the condition, Tenant's rent was:

- current (no rent owed),  not current but Tenant offered to pay rent owed and Landlord did not accept it, or  not current and tenant did not offer to pay the rent owed. Tenant's rent is due on the \_\_\_\_\_ day of the  month  week  \_\_\_\_\_ (specify any other rent-payment period).  Is not subsidized by the government  is subsidized by the government as follows if known: \$ \_\_\_\_\_ paid by the government, and \$ \_\_\_\_\_ paid by Tenant.

5. PROPERTY CONDITION: Describe the property condition materially affecting the physical health or safety of an ordinary tenant that the Tenant seeks to have repaired or remedied:

\_\_\_\_\_  
\_\_\_\_\_

6. RELIEF REQUESTED: Tenant requests the following relief:  a court order to repair or remedy the condition.  A court order reducing Tenant's rent in the amount of \$ \_\_\_\_\_ to begin on \_\_\_\_\_,  a civil penalty of one month's rent plus \$500.00  attorney's fees, and  court cost. Tenant states that the total relief does not exceed \$10,000.00 excluding interest and court cost but including attorney's fees.

Tenants Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Street address                      Unit no.(if any)                      City                      County                      State                      Zip                      Phone

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court or Notary