



# DUSTY VINSON JUSTICE OF THE PEACE PRECINCT THREE

## REPAIR AND REMEDY

- **REPAIR AND REMEDY CASE:** A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B, of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than **\$10,000**, excluding statutory interest and court costs but including attorney fees, if any.

### IMPORTANT NOTICE:

**APPROPRIATE COURTROOM ATTIRE IS REQUIRED.** All persons entering the courtroom should be dressed in clothing befitting the dignity and solemnity of the court proceedings. No shorts, tank tops, flip flops, hats, etc. Cell phones and other electronics must be turned off when in the courtroom. Food and drink is not allowed in the courtroom.

Courthouse Annex, 1112 Santa Fe Drive, Weatherford, TX 76086  
(817) 598-6086 – civil (817) 598-6112 – fax  
Court email: [jp.3@parkercountytexas.com](mailto:jp.3@parkercountytexas.com)

**Tenant's Petition for Relief "Suit to Enforce Landlord's Duty to Repair or Remedy a Condition"**  
(T.R.C.P. Rule 737.2); Tex. Prop. C. § 92.0563

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

\_\_\_\_\_  
Petitioner, Tenant  
V.

§ IN THE JUSTICE COURT

§ PRECINCT THREE

\_\_\_\_\_  
Defendant, Landlord

§ PARKER COUNTY, TX

**PETITION FOR RELIEF AND ENFORCEMENT OF LANDLORD'S DUTY TO REPAIR RESIDENTIAL  
PROPERTY**

**COMPLAINT:**

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Tenant files this Petition against the above-named Landlord pursuant to Section 92.0563, Texas Property Code because there is a condition in Tenant's residential property that would materially affect the health or safety of an ordinary tenant.

**Description of Residential Property:**

\_\_\_\_\_  
Street address      Unit No. (if any)      City      County      State      ZIP Code

**Landlord's Address for Service of Citation:**

\_\_\_\_\_  
Bus. Street add.      Unit No. (if any)      City      County      State      ZIP Code

**SERVICE OF CITATION:** (Check each statement that is true)

Tenant received in writing Landlord's name and business street address, where Landlord may be served as shown above.

Tenant received in writing the name and business street address of Landlord's management company

The name of Landlord's management company is \_\_\_\_\_. To Tenant's knowledge, this is the management company's contact information:

\_\_\_\_\_  
Bus. Street address      Unit No. (if any)      City      County      State      ZIP Code

The name of Landlord's on-premise manager is \_\_\_\_\_. To Tenant's knowledge, this is the on-premise manager's contact information:

\_\_\_\_\_  
Bus. Street address      Unit No. (if any)      City      County      State      ZIP Code

The name of Landlord's rent collector is \_\_\_\_\_. To Tenant's knowledge, this is the rent collector's contact information:

\_\_\_\_\_  
Bus. Street address      Unit No. (if any)      City      County      State      ZIP Code

**LEASE AND NOTICE:** (Check 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.

Tenant gave written notice to repair or remedy the condition on \_\_\_\_\_, 20\_\_\_\_.

The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on \_\_\_\_\_, 20 \_\_\_\_.

The tenant gave oral notice to repair or remedy the condition on \_\_\_\_\_, 20\_\_\_\_.

Name of the person(s) to whom oral notice was given: \_\_\_\_\_.

Place where oral notice was given: \_\_\_\_\_.

**RENT:**

At the time Tenant gave notice to repair or remedy the condition, Tenant's rent was:  current (no rent owed)  not current, but Tenant offered to pay the rent 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 other rent payment period). The rent is \$ \_\_\_\_\_ per  month  week  \_\_\_\_\_ (specify other rent payment period).

Tenant's rent (check one):  is not subsidized by the government  is subsidized by the government as follows, if known: \$ \_\_\_\_\_ paid by the government, and \$ \_\_\_\_\_ paid by Tenant.

**PROPERTY CONDITION:**

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

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

**RELIEF REQUESTED: (check all that apply)**

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 \_\_\_\_\_, 20\_\_\_\_);

actual damages in the amount of \$ \_\_\_\_\_;

a civil penalty of one month's rent plus \$500;

attorney's fees; and

court costs. Tenant states that the total relief does not exceed \$10,000, excluding interest and court costs, but including attorney's fees.

Tenant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Street address

Unit No. (if any)

Phone Number

City

State

ZIP Code