

## COURT NOTIFICATION TO PARTIES ON TEXAS EVICTION DIVERSION PROGRAM (TEDP)

A program called the Texas Eviction Diversion Program has been created that may be helpful to both parties in eviction cases where the eviction is for nonpayment of rent. There are certain eligibility requirements, including that neither the landlord nor the tenant are receiving federal housing assistance, that the tenant's household income is 200% or less of the poverty level, and that the tenant's ability to pay rent has been impacted by COVID-19. TDHCA will ultimately determine if the case is eligible, and can also assist with referring cases not eligible for this program to other sources of rental assistance.

If your case is eligible for the program, rental assistance will be provided for up to fifteen months of back or future rent. This benefits both parties. The landlord will receive rental payments that they are otherwise not receiving. The tenant gets the benefit of staying in the residence and avoiding months of rent becoming due all at once when the current pause on nonpayment evictions ends. Also, eviction case records are confidential if participating in the program, which can be very beneficial in securing future housing.

If both parties agree to participate, the court will pause this case for 60 days. If the program does not work to resolve the issue, the landlord may request in writing to resume the case, including sending a copy of that request to the tenant. The court will then issue a written order resuming the case as long as there is not a moratorium order in effect at that time that requires the court to keep the case paused. If there is a moratorium in effect at that time, the eviction case will resume once the moratorium no longer applies.

If no request is made to resume the case within the 60 day period, the case will be dismissed and the records will remain confidential.

For more information on the program, please see <http://txcourts.gov/programs-services/eviction-diversion-program/>, including the informational brochure, and <https://www.tdhca.state.tx.us/TEDP.htm>.

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

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT _____
	§	
_____	§	
DEFENDANT	§	_____ 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 \$22 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/).

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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\_\_\_\_\_

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CLERK OF THE JUSTICE COURT OR NOTARY

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

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

JUSTICE OF THE PEACE  
COURT PRECINCT \_\_\_\_  
ELLIS COUNTY, TEXAS

**MILITARY STATUS AFFIDAVIT**

Plaintiff, or Plaintiffs representative, being duly sworn on oath deposes and says that, to the best of my knowledge, Defendant(s) To check military status please go to <https://scra.dmdc.osd.mil/>

is not in the military

is not on active duty in the military

is not in a foreign country on military service

is on active duty and/or is subject to the Service Members Civil Relief Act of 2003

has waived his rights under the Service Members Civil Relief Act of 2003

military status is unknown at this time

\_\_\_\_\_  
Plaintiff/Representative

SIGNED AND SWORN TO before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court/Notary Public  
(Strike One)

**PENALTY FOR MAKING OR USING A 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**