



Volusia Sheriff's Office

Michael J. Chitwood, Sheriff

Complaint to Remove Persons Unlawfully Occupying Residential Real Property

Pursuant to Florida Statute 82.036

I, the owner or authorized agent of the owner of the real property located at _____, declare under the penalty of perjury that (*initial each line*):

1. _____ I am the owner of the real property or the authorized agent of the owner of the real property.
2. _____ I purchased the property on (date) _____.
3. _____ The real property is a residential dwelling.
4. _____ An unauthorized person or persons have unlawfully entered and are remaining or residing unlawfully on the real property.
5. _____ The real property was not open to members of the public at the time the unauthorized person or persons entered.
6. _____ I have directed the unauthorized person or persons to leave the real property, but they have not done so.
7. _____ The person or persons are not current or former tenants pursuant to any valid lease authorized by the property owner, and any lease that may be produced by an occupant is fraudulent.
8. _____ The unauthorized person or persons sought to be removed are not an owner or a co-owner of the property and have not been listed on the title to the property unless the person or persons have engaged in title fraud.
9. _____ The unauthorized person or persons are not immediate family members of the property owner.
10. _____ There is no litigation related to the real property pending between the property owner and any person sought to be removed.
11. _____ I understand that a person or persons removed from the property pursuant to this procedure may bring a cause of action against me for any false statements made in this complaint, or for wrongfully using this procedure, and that as a result of such action I may be held liable for actual damages, penalties, costs, and reasonable attorney fees.
12. _____ I am requesting the sheriff to immediately remove the unauthorized person or persons from the residential property.
13. _____ A copy of my valid government-issued identification is attached, or I am an agent of the property owner, and documents evidencing my authority to act on the property owner's behalf are attached.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Signature of Property Owner or Agent of Owner

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to (or affirmed) and subscribed before me by means of Physical presence or Online notarization,

this _____ day of _____, _____, by _____
Affiant's Name

Signature of (Circle One: **Notary Public-State of Florida** or **Law Enforcement Officer**)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known OR Produced Identification

(Type of Identification Produced)