

This form is adapted from [Texas Tenants' Union](#) materials.

### **Lawsuit Petition for Retaliation**

You can use this form to file suit in justice court to ask for one month's rent plus \$500, actual damages, court costs, reasonable attorney's fees, and moving costs (if you were forced to move). Justice court has a jurisdictional limit of \$20,000. It is generally easier to represent yourself in justice court, cheaper to file the suit, and you get to trial more quickly. The form comes with instructions, but see [Sue Your Landlord](#) to learn how to file the lawsuit and try the case in justice court. See also how to file a suit [for free](#) if you are low income.

#### **How to fill in the form:**

1. The first blank at the top of the form is the Case Number or Cause Number. When you file, the court clerk will assign a number to the case and write that number at the top. You do not need to fill that blank in prior to filing the case.
2. On the right side at the top is the court information. Enter the county in which you are filing. Put the precinct number for the justice court in which you are filing. If there is more than one justice court in the precinct, put the place number. Not all precincts have place numbers.

Example:

Precinct 1, Place 2  
Dallas County, Texas

Finding your precinct and place: You may be able to find your precinct online. You can also call a nearby justice court and give them the address of the property you are leasing. The court clerk will tell you which precinct the property is in. Some large precincts have more than one justice court location. In these precincts, each justice court has a different "place number." You may file the case in any "place" in your precinct. If there is more than one justice court in your precinct, pick the court that is easy to get to or the one that is friendliest to tenants.

3. Since you are bringing the suit, you are the Petitioner. Put your name in the blank for Petitioner at the top and in the Parties section.
4. The landlord is the Respondent. The landlord is usually the owner of the property. This is often different than the property manager. You have a right to know the name and address of the owner. See [Who owns the property?](#) to learn how to get this information. Remember that owners are often a business. Enter the landlord's name in the blank for Respondent at the top and in the Parties section.
5. Enter the Respondent's address in the Parties section. This is the address where a constable will serve the Respondent with court papers, so it is important to enter it fully and correctly. The easier it is for the constable to serve the court papers, the sooner you can get a hearing. See [Who owns the property?](#) to learn how to get the owner's address information.
6. Mark on the petition the action you took that caused the landlord to get mad and retaliate.

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7. Mark on the petition the retaliatory action that landlord took.

8. Sign and print your name. Enter your address, phone number, and email address.

9. Read over the form and make sure it is completely filled out. Then make two copies of the signed form. Take both copies and the original to the justice court for filing. The court will keep the original, keep one copy to serve on the Respondent, and return one to you with a file stamp for your records.

Check on the court's website or with the court clerk to learn if the constable successfully served the Respondent. The Respondent has two weeks after service to file an Answer unless the 14th day falls on a weekend or a day on which the court closes before 5:00 pm. Once the Respondent files an Answer or their time to do so has passed, you can ask the court for a hearing.

For more information on proceeding with the case, see [Court Basics](#) on TexasLawHelp.

**Do not file this page.**

No. \_\_\_\_\_  
(Filled in by court)

\_\_\_\_\_  
Petitioner (Your name) )  
 ) In the Justice Court  
 )  
v. )  
 ) Precinct \_\_\_\_\_, Place \_\_\_\_\_  
 )  
\_\_\_\_\_  
Respondent (Landlord) ) \_\_\_\_\_ County, Texas

### Petitioner's Original Petition

To the Honorable Judge of the Court:

Petitioner files this original petition in the above-styled and numbered cause, and in support, shows the Court as follows:

#### I. Discovery

1. Petitioner intends to conduct discovery under Level 1.

#### II. Parties

2. \_\_\_\_\_ is Petitioner.  
(Your name)

3. \_\_\_\_\_, Respondent, may be served at the following address:  
(Landlord)

\_\_\_\_\_  
(Landlord's address)

#### III. Jurisdiction and Venue

4. The amount in controversy is within the jurisdictional limits of this Court, and venue is proper as the cause of action arose in the precinct and county of this Court within Texas.

#### IV. Facts

5. Petitioner leased premises from Respondent.

6. Respondent retaliated against Petitioner in violation of Section 92.331 of the Texas Property Code after Petitioner: (Mark all that apply)

exercised or attempted to exercise a right granted by the lease or law;

gave Petitioner a notice to repair;

complained to a governmental entity, nonprofit, or civic agency;

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*(Add any additional actions you took for which the landlord retaliated against you)*

7. Respondent retaliated by: *(Mark all that apply)*

- filing an eviction proceeding;
- depriving Petitioner of the use of the premises;
- decreasing services to Petitioner;
- increasing Petitioner's rent;
- terminating Petitioner's lease;
- materially interfered with Petitioner's rights under the lease;

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*(Add any additional retaliatory actions)*

#### **V. Causes of Action**

8. Respondent has violated Section 92.331 of the Texas Property Code by improperly retaliating against Petitioner based one or more grounds.

#### **VI. Request for Relief**

Pursuant to Section 92.333 Texas Property Code, Petitioner requests the following relief for **each** violation noted above:

- a. civil penalties of one month's rent plus \$500;
- b. actual damages;
- c. actual expenses;
- d. court costs from Respondent; and
- e. any other relief to which Petitioner is entitled.

Respectfully submitted,

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Petitioner Signature *(Your Signature)*

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Petitioner Printed Name *(Your Printed Name)*

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Petitioner Address *(Your Address)*

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Petitioner Phone *(Your Phone)*

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Petitioner Email *(Your Email)*