

PROCEEDING AGAINST TENANT HOLDING OVER

CASE NO: _____

Deposit Paid: \$93.00
\$118.00
Other: _____

VS

Plaintiff's Name, Address and Phone Number

Defendant's Name and Address

- 1. Defendant is in possession as tenant of premises at the address in Cobb County as stated above:
2. Affiant is the () Owner () Attorney
3. Tenant
() fails to pay the rent which is now past due.
() holds the premises over and beyond the term for which they were rented or leased to him/her.
() _____
4. Plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.
5. Plaintiff desires and has demanded possession of premises.
6. Defendant has failed and refused to deliver possession of premises.

WHEREFORE, Plaintiff DEMANDS:

- (a) possession of premises.
(b) past due rent of \$ _____;
(c) rent accruing up to date of judgment or vacancy at the rate of \$ _____ per _____;
(d) _____

Affiant's/Attorney Address, Phone Number and Bar Number

SUMMONS

TO: THE SHERIFF of Cobb County or his lawful deputies or duly appointed process servers for the State Court of Cobb County;

GREETING:

The defendant(s) herein is/are commanded and required personally or by attorney to appear at the State Court of Cobb County, 12 East Park Square, Marietta, Georgia, between the hours of 8:00 am to 5:00 pm on or before the SEVENTH day from the date of service of the within affidavit and summons (or on the first business day thereafter IF the seventh day falls on a Saturday, Sunday or legal holiday) to answer the affidavit in writing or orally. If the answer is NOT made, a Writ of Possession and/or Judgment shall issue instanter. NOTE: Any corporate party served must be represented by a licensed attorney at law (See Eckles v Atlanta Technology Group, 267 Ga. 801).

WITNESS the Honorable Judges of said Court.

The above affidavit was sworn to and subscribed before the undersigned deputy clerk by the affiant as provided by the Official Code of Georgia Annotated 44-7-50 and summons issued pursuant thereto.

This _____ Date

Deputy Clerk, State Court of Cobb County

Date of Service _____, 20__

Defendant(s) to answer on or before _____, 20__

Deputy Sheriff or Duly Appointed Process Server

WRIT OF POSSESSION

TO THE SHERIFF OF COBB COUNTY OR HIS LAWFUL DEPUTIES:

You are hereby commanded to remove said tenant and/or his personal property from the above-identified premises, rendering full and quiet possession of the premises to the plaintiff herein. Furthermore, you are permitted to place such personal property, which may be removed, on some portion of the landlord's property or on other property as may be designated by the landlord and as may be approved by the executing officer.

This _____ day of _____, 20__

Judge, State Court of Cobb County

Tenant Ejected _____, 20__