

FORM 14 – MOTION FOR CLERK’S DEFAULT – RESIDENTIAL EVICTION

**FORM 15 – MOTION FOR CLERK’S DEFAULT – DAMAGES
RESIDENTIAL EVICTION**

**FORM 16 – MOTION FOR FINAL JUDGMENT
RESIDENTIAL EVICTION**

**FORM 17 – MOTION FOR DEFAULT FINAL JUDGMENT – DAMAGES
RESIDENTIAL EVICTION**

FORM 18 – AFFIDAVIT OF DAMAGES

FORM 19 – NONMILITARY AFFIDAVIT

The Tenant will have five days, after service, to file a written response to a Complaint for eviction, and 20 days, after service, to file a written response to a complaint for back rent and damages. If the Tenant fails to file a written response in that time the Landlord is entitled to a judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk’s default should be obtained by delivering to the Clerk of the Court an executed Motion-for Clerk’s Default. Form 14 should be used to obtain a Clerk’s default when the Tenant has failed to respond to an eviction complaint and Form 15 should be used to obtain a Clerk’s default when the Tenant has failed to respond to a complaint for back rent and damages. In order to be entitled to a default, Form 19, Nonmilitary Affidavit, must be filed with the Clerk.

Second, based on the Clerk’s default, a default final judgment should be obtained from the judge handling the case. The default final judgment is obtained by delivering to the Court a Motion for Default Final Judgment-Residential Eviction (Form 16) and/or a Motion for Default Final Judgment-Damages (Residential) (Form 17) with an Affidavit of Damages (Form 18). If the Landlord is seeking a Default Final Judgment – Damages (Residential Eviction), a copy of the motion and affidavit must be served on the Defendant. The forms provide a certificate of service to be completed establishing proper service of the motion and affidavit.

FORM NOTES ARE FOR INFORMATIONAL PURPOSE ONLY AND MAY NOT COMPLETELY DESCRIBE REQUIREMENTS OF FLORIDA LAW. YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.