

BERRIEN COUNTY TRIAL COURT
CIVIL DIVISION

**AFFIDAVIT OF FACTS IN
SUPPORT OF JUDGMENT**
Landlord-Tenant

CASE NO. _____

FAILURE TO COMPLETE AND FILE THIS AFFIDAVIT WITH THE COURT WILL DELAY THE ISSUANCE OF A WRIT OF RESTITUTION.

Plaintiff(s) _____

- vs - Defendant(s) name and address _____

The undersigned being duly sworn says that:

1. Property was leased/rented to the defendant for a rental rate of \$ _____ per week/two weeks/semi-monthly/monthly.
2. The defendant is not under the age of 18; is not mentally incompetent; and is not in the military service. (If in the military service there has been notice of the pendency of the action and adequate time and opportunity to appear and defend.)
3. The residential property was kept fit for the use intended and maintained in reasonable repair during the term of this lease.
4. The court is hereby requested to enter judgment in accordance with this affidavit.

(SIGN ONLY BEFORE CLERK OR NOTARY)

Plaintiff/Attorney signature

Subscribed and sworn to before me on _____

Date

Deputy Clerk

COMPLETE INFORMATION IN THIS BOX FOR NON-PAYMENT AND MONEY JUDGMENTS ONLY

5. PLAINTIFF IS DUE THE FOLLOWING AMOUNTS:

a. List first week/month that only part of the rent was paid:

Partial week/month of _____ Paid \$ _____ →

Balance is \$ _____ (a)

b. List all the full week(s)/months that rent was not paid:

Full months of _____

(Multiply the number of week(s)/months times the monthly rental rate)

_____ Week(s)/Months x \$ _____ →

equals \$ _____ (b)

c. Rent for the final month is figured two different ways:

1. For the **redemption amount** for a non-payment of rent, list the amount due to pay the rent through to the end of the CURRENT rental period.

Final rental period of _____ Date to _____ Date

This amount pays rent through _____

\$ _____ (c)
Redemption Amount

2. For a **money judgment**, divide the monthly rate by the number of days in the CURRENT month. Multiply this figure by the number of days from the first of the month up to and including the date of trial

Final month of _____ days x \$ _____ equals \$ _____ (c)
Money Judgment

MONEY JUDGMENT

RENT TO RETAIN

Total of Lines a, b, c \$ _____ \$ _____

Less any money paid since case filed \$ _____ \$ _____

Sub-total \$ _____ \$ _____

Plus costs (filing & service fees) \$ _____ \$ _____

Total requested for judgment \$ _____ \$ _____

BERRIEN COUNTY TRIAL COURT CIVIL DIVISION	AFFIDAVIT OF FACTS IN SUPPORT OF JUDGMENT Landlord-Tenant	CASE NO. <u>00C-01492-LT</u>
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FAILURE TO COMPLETE AND FILE THIS AFFIDAVIT WITH THE COURT WILL DELAY THE ISSUANCE OF A WRIT OF RESTITUTION.

John Doe Plaintiff(s) Henry Doe Defendant(s) name and address 11751 Joe Ave, Coloma, Mi.

The undersigned being duly sworn says that:

1. Property was leased/rented to the defendant for a rental rate of \$ 400.00 per week/two weeks/semi-monthly monthly.
2. The defendant is not under the age of 18; is not mentally incompetent; and is not in the military service. (If in the military service there has been notice of the pendency of the action and adequate time and opportunity to appear and defend.)
3. The residential property was kept fit for the use intended and maintained in reasonable repair during the term of this lease.
4. The court is hereby requested to enter judgment in accordance with this affidavit.

(SIGN ONLY BEFORE CLERK OR NOTARY)

John Doe
Plaintiff/Attorney signature

Subscribed and sworn to before me on May 15, 2000 Date Betty Clark Deputy Clerk

COMPLETE INFORMATION IN THIS BOX FOR NON-PAYMENT AND MONEY JUDGMENTS ONLY

5. PLAINTIFF IS DUE THE FOLLOWING AMOUNTS:

- a. List first week/month that only part of the rent was paid:
 Partial week/month of Jan Paid \$ 200.00 →
- b. List all the full week(s)/months that rent was not paid:
 Full months of Feb. Mar. Apr.
 (Multiply the number of week(s)/months times the monthly rental rate)
3 Week(s)/Months x \$ 400.00 →

Balance is \$ 200.00 (a)

equals \$ 1200.00 (b)

- c. Rent for the final month is figured two different ways:
 1. For the **redemption amount** for a non-payment of rent, list the amount due to pay the rent through to the end of the CURRENT rental period.
 Final rental period of May 1 to May 31
Date Date
 This amount pays rent through May 31

\$ 400.00 (c)
Redemption Amount

2. For a **money judgment**, divide the monthly rate by the number of days in the CURRENT month. Multiply this figure by the number of days from the first of the month up to and including the date of trial.
 Final month of May 15 days = \$ 12.90 equals \$ 193.50 (c)
Money Judgment

SAMPLE

	<u>MONEY JUDGMENT</u>	<u>RENT TO RETAIN</u>
Total of Lines a, b, c	\$ <u>1593.50</u>	\$ <u>1800.00</u>
Less any money paid since case filed	\$ <u>100.00</u>	\$ <u>100.00</u>
Sub-total	\$ <u>1493.50</u>	\$ <u>1700.00</u>
Plus costs (filing & service fees)	\$ <u>59.00</u>	\$ <u>59.00</u>
Total requested for judgment	\$ <u>1552.50</u>	\$ <u>1759.00</u>