

MAGISTRATE COURT OF FULTON COUNTY, STATE OF GEORGIA
PROCEEDING AGAINST TENANT HOLDING OVER

Dispossessory Division
185 Central Avenue, SW TG100
Atlanta, Georgia 30303
(404) 613-5078
www.fultonstate.org

CASE # _____

PLAINTIFF'S NAME/ADDRESS/PHONE/EMAIL

V.

PLAINTIFF'S ATTORNEY NAME/ADDRESS/PHONE/EMAIL

DEFENDANT'S NAME & ADDRESS

1. Defendant is in possession as tenant of premises at the address in Fulton County as stated above.
2. Affiant is the () Owner () Attorney () Agent () Tenant of the owner of said premises.
3. Defendant () fails to pay the rent which is now past due.
() holds the premises over and beyond the term for which they were rented to him.
() no longer has permission to remain in the premises.
() other grounds: _____
4. Plaintiff desires and has demanded possession of the premises.
5. Defendant has failed and refused to deliver possession of the premises.

WHEREFORE, Plaintiff DEMANDS:

- (a) Possession of the premises.
- (b) Past due rent of \$_____ for the month(s) _____
- (c) Rent accruing up to the date of judgment of vacancy at the rate of \$_____ per _____
- (d) Other: _____

SWORN TO AND SUBSCRIBED:

FILED IN OFFICE, THIS

AFFIANT

CLERK

PHONE NUMBER/EMAIL ADDRESS

SUMMONS

TO: THE MARSHAL of the Magistrate Court of Fulton County or his lawful deputies:

GREETINGS: The tenant must file either an oral or written Answer at Room TG400, 185 Central Avenue, SW, Atlanta, Georgia, 30303 between 8:30AM and 5:00PM within seven (7) days from the date of the actual service unless the seventh day is a Saturday, a Sunday, or a Court holiday, in which case the Answer may be made on the next day which is not a Saturday, a Sunday, or a Court holiday. If the Answer is oral, the substance thereof shall be endorsed on the dispossessory affidavit. The Answer may contain any legal or equitable defense or counterclaim. If no valid legal or factual Answer is filed, a writ of possession may be issued pursuant to O.C.G.A. § 44-7-53. If no Answer is made, a writ of possession shall issue instanter. WITNESS the Honorable Chief Judge of said Court. The above affidavit was sworn to and subscribed before the undersigned Deputy Clerk by affiant as provided by O.C.G.A. § 44-7-50 and summons issues pursuant thereto.

This _____ day of _____, 20_____

DEPUTY CLERK

MARSHAL ENTRY OF SERVICE

I have served the foregoing affidavit and summons on the Defendant(s) by delivering a copy of same: () Personally () Notoriously on an individual residing at the premises (name of person served) _____ () Posting a copy to the door of the premises and depositing a copy in the U.S. Mail, First Class in an envelope properly addressed after attempting personal service. Said copy containing notice to the Defendant(s) to answer at the hour and place in said summons.

DATE OF SERVICE the _____ day of _____, 20_____, _____ D.M.

DEFENDANT TO ANSWER ON OR BEFORE: _____