

Instructions for Completing a Notice of Tenancy

1. Fill in blanks on attached form Notice of Tenancy if (and only if) paragraphs 2, 3, and 4 are true for your situation.
2. Date the Notice the day you will file it with the court.
3. Sign the Notice where indicated.
4. Make two (2) copies of the completed Notice.
5. File the original Notice (but not this instruction sheet) with the Clerk of Court in your landlord's foreclosure case.
If the case is in Duval County, you will go to the Duval County Courthouse, 501 W. Adams Street, Jacksonville, FL 32202.
6. Mail one copy of the Notice via regular mail to the plaintiff's attorney on the same day you file the original Notice with the Clerk of Court. (The name and address of the plaintiff's attorney are listed in the foreclosure papers you received.)
7. Keep one copy of the Notice for yourself.

Monitor the Case on the Web:

1. If your landlord's foreclosure case is in Duval County, go to www.duvalclerk.com
2. On the left hand side in the blue margin, under "Public Services," click on "Court Records."
3. Enter "Public" as your User ID.
4. Enter "Public" as your Password.
5. Click the "Login" link.
6. Click on "Case Inquiry."
7. Enter the Case Number in the first text box (example: 2010-CA-00000) and click "Search" at the bottom of the page.
8. From the list presented, click on the blue link showing your case number.
9. Once the Docket appears, scroll down and watch for "Summary Judgment," "Final Judgment," or "Certificate of Title," which signifies that the case has neared or reached conclusion.

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
_____ COUNTY, FLORIDA

CASE NO.: 16-20____-CA-_____
DIVISION: ____

Plaintiff,

vs.

Defendant(s).

_____ /

NOTICE OF TENANCY

I, _____, hereby give notice to this Court that I am a tenant
[tenant's name]
residing at _____, which is the property involved in
[property address]
this foreclosure case, and I further state as follows:

1. I rent the property from _____, and my
[landlord's name]
rent is \$_____ per week / month [circle one].
[amount of rent]
2. I am not the mortgagor (borrower) on the mortgage loan that is being foreclosed in this case, nor am I the mortgagor's parent, spouse or child.
3. My agreement to rent this property was the result of an arm's-length transaction.
4. The amount of my rent: [check one]
___ is not substantially less than the fair market rent for this property; or
___ is reduced or subsidized due to a Federal, State or local subsidy (like Section 8, for example).
5. Section 83.561, Florida Statutes, which took effect on June 2, 2015, protects me from immediate eviction after a foreclosure sale and allows me to remain at this property

for 30 days following the date of the purchaser's delivery to me of a written 30-day notice to vacate.

6. Therefore, no Writ of Possession should be issued by this Court or by the Clerk of the Court to order my removal from the property.

WHEREFORE, I, _____, respectfully request this Court not to issue
[tenant's name]
any Writ of Possession following the foreclosure sale of the subject property.

[tenant's signature]

[tenant's name printed]

[address line 1]

[address line 2]

[phone number]

I hereby certify that a copy of this notice was sent to the Plaintiff's attorney,

_____, at _____ by U.S.
[attorney's name] [attorney's address]
mail on _____.
[date]

[tenant's signature]

This form was prepared by Jacksonville Area Legal Aid, Inc. for use by tenants *pro se*, and should be filled out or used as a template ONLY if the statements in paragraphs 2, 3, and 4 are true.