

**STATE COURT OF FULTON COUNTY, STATE OF GEORGIA**

PROCEEDING AGAINST TENANT HOLDING OVER



STATE COURT OF FULTON COUNTY  
ATLANTA, GEORGIA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLAINTIFF'S NAME/ADDRESS/PHONE #/EMAIL

VS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEFENDANT'S NAME/ADDRESS/PHONE #/EMAIL

PLAINTIFF'S ATTORNEY NAME/ADDRESS/PHONE/EMAIL

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: \_\_\_\_\_

\_\_\_\_\_  
AFFIANT

SWORN TO AND SUBSCRIBED

CLERK/NOTARY PUBLIC

PHONE NUMBER

**SUMMONS**

TO: THE MARSHAL of the State Court of Fulton County or his lawful deputies and to the Sheriff of Fulton County or his lawful deputies.

GREETING: The tenant must file an answer at Room J1-G300, Justice Tower, 185 Shirley C. Franklin Blvd., SW, Atlanta, Georgia, 30303 between 8:30AM and 5:00PM either oral or written 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; and 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) \_\_\_\_\_ ( ) By 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 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**WRIT OF POSSESSION**

You are hereby commanded to remove said Defendant(s) together with his property therein from said house and premises and to deliver full and quiet possession of same to Plaintiff herein. This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge Per Order Dated Deputy Marshal

TENANT: ( ) VACATED ( ) EJECTED ( ) SETTLED W/ PLAINTIFF ( ) HELD UP ( ) LABOR DATED: \_\_\_\_/\_\_\_\_/\_\_\_\_