

MAGISTRATE COURT OF COLUMBIA COUNTY, GEORGIA

DATE FILED \_\_\_\_\_

Dispossessory

CASE NO. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Plaintiff's Name, Address, & Phone Number

vs.

\_\_\_\_\_

\_\_\_\_\_

Defendant's Name, Address, & Phone Number

Defendant's Name, Address & Phone Number  
(If two or more Defendants)

**AFFIDAVIT-** - Personally appeared the undersigned affiant who on oath says that affiant is the  owner,  attorney at law,  agent for Plaintiff(s) herein, and that Defendant(s) is/are in possession as tenant(s) of premises at the address stated above, in Columbia County, the property of said Plaintiff(s). Plaintiff(s) attest(s) that there are no other person(s)/entity(ies) or known occupant(s) with whom Plaintiff(s) has/have a landlord tenant relationship.

FURTHER THAT: (check applicable claim(s)):

- tenant fails to pay the rent which is now past due;
- tenant holds the premises over and beyond the term for which they were rented or leased to tenant;
- tenant is a tenant at sufferance;
- Other: \_\_\_\_\_ ; and

THAT Plaintiff(s) is/are entitled to recover any and all rent that may come due until this action is finally concluded. Plaintiff(s) desires and has demanded possession of the premises and Defendant(s) has/have failed and refused to deliver said possession. WHEREFORE, Plaintiff(s) demand(s) (a) possession of the premises; (b) past due rent of \$ \_\_\_\_\_ (c) rent accruing up to the date of judgment or vacancy at the rate of \$ \_\_\_\_\_ per day. (Calculate daily rental rate, if seeking rent accruing to date of judgment or vacancy.) (d) \_\_\_\_\_

Sworn to and subscribed before me,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Attesting Official

Affiant  Owner  Attorney at Law  Agent

**SUMMONS** -- To the Sheriff of this County or lawful deputies of the Sheriff -- GREETINGS:

**The Defendant(s) is/are commanded and required to file an answer to said affidavit in writing or orally in person at the Magistrate Court of Columbia County, Georgia on or before the seventh (7th) day after the date of service of this affidavit and summons, which shall be the last possible date to answer. If such answer is not made, a Writ of Possession and/or Judgment shall issue as provided by law. Witness the Honorable Chief Magistrate of said Court.**

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Magistrate or Deputy Clerk

**WRIT OF POSSESSION**-- To the Sheriff of this County or lawful deputies of the Sheriff:

**You are hereby commanded to remove said Defendant(s), and any other person(s)/entities whose presence upon the premises is through the tenancy of the Defendant(s) together with Defendant(s)/their property thereon from said premises and to deliver full and quiet possession of the same to the Plaintiff(s) herein effective:**

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Magistrate

IN THE MAGISTRATE COURT OF COLUMBIA COUNTY  
STATE OF GEORGIA  
CARES ACT AFFIDAVIT

Case No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Defendant(s)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Email Address

Personally appeared before me, the undersigned officer, the Plaintiff, his agent or attorney who on oath deposes and says as follows:

(1)

I am personally familiar with the residential property occupied by the Defendant, the Defendant's tenancy, the property's ownership, the financing arrangements and any and all liens that may exist on the property.

(2)

The property is not a "covered property" as defined by section 4024 (a) (2) of the CARES Act, or the property is otherwise exempt from the moratorium imposed therein.

(3)

It is not part of a covered housing program (as defined in section 41411 (a) of the Violence Against Women Act of 1994 (34 USC § 12491 (a)) or the rural housing voucher program under section 542 of the Housing Act of 1949 (42 USC § 1490r).

(4)

There are no mortgages, deeds to secure debt, nor liens of any other sort which are made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the United States Government or in connection with a housing or urban development program administered by the U.S. Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(5)

The debt on the property is not receiving a forbearance pursuant to section 4023 of the CARES Act.

(6)

I swear under penalty of perjury that the above information is true and correct and made of my own personal knowledge. I understand further proof may be required at trial.

Sworn to /Subscribed/ filed before me

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk/ Notary Public

\_\_\_\_\_  
Attorney/ Owner/ Agent Phone#