

RENT AND DAMAGES CLAIM

TO DEFENDANT(S):

(Name and Last Known Address)

Re: Case No. _____

_____ vs. _____
(Plaintiff) (Defendant)

The **RENT AND DAMAGES RETURN DATE** in the above-referenced eviction action is scheduled as shown below. I will be asking the Court for judgment in the amount of \$_____, together with costs and such other relief as the Court deems proper.

**ATTACHED HERETO IS AN ITEMIZED LISTING OF
THE AMOUNT ALLEGED AS DUE.**

IF YOU WISH TO DISPUTE THIS MATTER you must send a written answer Addressed to: Clerk of Circuit Court, Room 1000, Dane County Courthouse, 215 S. Hamilton Street, Madison, WI 53703, on or before _____ at 9:00 a.m. (This date represents a written answer date, NOT AN APPEARANCE DATE.) You must also send a copy of your written answer to me at the address listed below. Upon receipt of the answer, the Court will then schedule the matter for a hearing and mail notices to all parties.

IF YOU DO NOT FILE A WRITTEN ANSWER, a judgment may be awarded to me for the total amount indicated above.

Signed: (Plaintiff/Attorney)

Dated: _____

Phone: _____ Address: _____

NOTE TO PLAINTIFF/ATTORNEY: this Letter, INCLUDING A COPY OF THE BREAKDOWN OF DAMAGES, must be mailed to the defendant(s) and to the Court before the above date. Proof of service MUST also be forwarded to the Court (see next page for instructions).

RENT AND DAMAGES CLAIMS

To The Plaintiff:

The form “RENT AND DAMAGES CLAIM” is to be used for pursuing a rent and damages claim if proper service was made in the underlying eviction action. “This form should not be completed until after the plaintiff has calculated the total amount of money claimed in rent and/or damages.” A breakdown of the damage expenses, including what was done with the security deposit, must be attached to the form.

You will need to contact the Clerk of Court’s office to obtain an answer date BEFORE efilings/paper filing this form. Write this date and time on the original form before making copies. One complete copy is to be provided to each defendant and one to the Clerk of Courts. Mail to each defendant(s) at their last known address.

NOTE: If personal service of the underlying eviction action was not obtained, a separate money action MUST be filed to obtain payment of the rent and damages due.

Dane County Circuit Court Rule 308 requires that you provide proof of service to the Court. Proof of service may be established by an affidavit of mailing verifying that the document was mailed to the defendant(s) at their last known address and was not returned as undeliverable by the post office to the plaintiff. If the rent and damage claim is returned as undeliverable by the post office to the plaintiff, the plaintiff must serve the defendant(s) by personal service, substitute service or publication and provide proof of service to the Court.

Note: Proof of service should be submitted to the Court at least 3 days prior to the answer date to ensure judgment is entered timely if a written answer is not filed.

Please direct any questions regarding this procedure to the Dane County Clerk of Court’s office at (608) 266-4311.

11/2018