



Petition for Removal of Unlawful Occupant of Property Containing a Residential Dwelling

_____ County, Missouri Circuit Court
(County where court is located. City of Saint Louis is considered a county.)

Use this form to ask for a court Order to remove a person or persons unlawfully occupying property containing a residential dwelling. This form is to be filed in the county where the property is located.

Case Number: _____
(Will be assigned by the court when case is filed)

(Your Name)
Petitioner,

You are the **Petitioner**. The Petitioner is the person who starts a court case. This person is the property owner, or an authorized agent of a property owner, of property containing a residential dwelling being unlawfully occupied.

And

Respondent.

Check this box if more than one person is unlawfully occupying the residential dwelling and complete an Addendum for each person.

The **Respondent** is the person or persons unlawfully occupying property containing a residential dwelling owned by Petitioner. Unlawful occupant or unlawful occupants is any person or persons who detain, occupy, or trespass on property containing a residential dwelling without the permission of the property owner, who otherwise have no legal right to occupy the property and have no protections provided to a tenant under state law.

A. Parties

I am the property owner authorized agent of the property owner.

The property being occupied includes a residential dwelling. The address of the property is:

Information about the person who is an unlawful occupant of your property containing a residential dwelling.

If you don't know something, leave it blank.

Respondent:

Name: _____

Alias or nickname (list all): _____

Age: _____

Race and Ethnicity: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Hispanic or Latino Middle Eastern or North African (MENA) Other Unknown

Sex: Male Female Height: _____ Weight: _____

Hair (Select one): Blond Black Blue Brown Green Grey Orange Pink
 Purple Red Sandy Unknown or Completely Bald White

Eyes (Select one): Black Blue Brown Dichromatic Green Grey Hazel
 Multicolored Maroon Pink Unknown

Identifying marks (Examples: tattoos, birthmark, scars, beard, pierced ear, glasses):

Phone number: _____

Does Respondent carry a weapon or firearm? Yes No

If Yes, list the weapon(s) or firearm(s): _____

Do you meet the following seven requirements?

1. Respondent has entered and remains or continues to reside on the property. Yes No
2. The property was not open to members of the public at the time Respondent entered. Yes No
3. Respondent is occupying the property without the permission of the property owner and is not a guest of the property owner and is not authorized to make use of the property. Yes No
4. The property owner has directed Respondent to leave the property and Respondent has failed or refused to vacate the premises. Yes No
5. The property has not been leased to any person for three consecutive months and Respondent is not a current or former tenant of the property pursuant to any agreement with the property owner.
 Yes No

6. Respondent is not an immediate family member of the property owner. Yes No

7. There is no pending litigation related to the real property between the property owner and any known unlawful occupant or unlawful occupants. Yes No

B. Provide the details

In your own words, describe the unlawful occupation for all respondents:

I have photographs or other evidence of damages to my property.

C. I request the court

Issue an emergency temporary order (ex parte order) to have the sheriff remove Respondent from my property containing a residential dwelling. I am also requesting the court to issue a full order to permanently exclude Respondent from my property after a hearing is held on this petition.

Use this section to ask the court for what you want in the case. **Check all that apply.**

1. I want the court to order Respondent NOT to:

- commit or threaten to commit any acts of violence, molestation, stalking, assault, or disturbing my peace or my property;
- commit or threaten to commit violence against my pets;
- enter the premises of my property or dwelling unit;
- communicate with me by phone, email, text, social media, or in any other way;
- come within _____ (feet) of the premises of my property or dwelling unit;
- other: _____.

2. Other:

- I ask Respondent to pay all **costs of repair** to my premises or dwelling unit relating to damages caused by Respondent.
- I ask Respondent be permanently expelled from occupying Petitioner’s premises or dwelling unit.
- I ask Respondent’s personal property be expelled from Petitioner’s premises or dwelling unit.
- I ask Respondent to pay all **costs associated with service** of any ex parte order authorized against Respondent.
- I ask Respondent to pay **court costs**.

D. Signatures

I swear or affirm under penalty of perjury the facts are true according to my best knowledge and belief.

I certify no confidential information is included on this document.

Sign

Date

Attorney Signature (if applicable)

Date

Attorney’s name, bar number

Attorney’s address, telephone number