

MODEL FORM

Use Proof of Service to Document Eviction Process

Documenting every transaction with your tenant during the eviction process can keep things on track by preventing any claims that it was unfairly evicted. Use a proof of service form like this one to prove that the tenant was given adequate notice and that you followed the law when evicting it. Show this proof of service form to your attorney before using it.

PROOF OF SERVICE

State of *[insert state]* County of *[insert county]*
The undersigned, being duly sworn, says:

1. I am over 18 years of age.

[Use pars. 2 and 3 if you personally delivered the notice to the tenant by hand.]

2. On *[insert date]* at *[insert exact time]*, I delivered and left a true copy of the attached *[insert description of official notice, e.g., rent demand/default notice/eviction notice]* with *[insert (a) name of tenant(s) and address; or (b) name of other person who accepted the notice on behalf of the tenant(s) with the following phrase: "a person of suitable age and discretion, who was willing to receive same on behalf of the tenant(s) and who was employed at the tenant's space."]*

3. The person served is described as:

SEX _____ APPROXIMATE AGE _____

HEIGHT _____ WEIGHT _____

SKIN COLOR _____ HAIR COLOR _____

OTHER DISTINGUISHING CHARACTERISTICS _____

[Use par. 4 if you mailed the notice.]

4. On *[insert date]* I mailed true copies of the *[describe type of notice]* by *[describe how notice was sent, e.g., regular first-class mail, certified mail and/or registered mail]* enclosed in a postage-paid, properly addressed envelope to *[insert tenant's name and address, and insert any other addresses for the tenant where copies of the notice were mailed]*. Said mail was deposited within a Post Office box under the exclusive care and custody of the United States Postal Service.

SIGNATURE AND TITLE _____ DATE _____