

**COMPLAINT (SUMMARY POSSESSION/
LANDLORD - TENANT; DAMAGES);
DECLARATION; EXHIBIT(S); SUMMONS**

Form# 3DC08

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| IN THE DISTRICT COURT OF THE THIRD CIRCUIT _____ DIVISION STATE OF HAWAI‘I | |
| Plaintiff(s) | Reserved for Court Use |
| | Civil No. |
| Defendant(s) | Filing Party/ Attorney Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers |
| Premises Address: | |

COMPLAINT

1. This Court has jurisdiction over this matter and venue is proper.
2. Plaintiff is the landlord or the agent for the landlord of the premises.
3. The premises are located in this division of this Court.
4. Defendant rents and/or is in possession of the premises and/or is a personal guarantor under the rental agreement of the premises.
5. There is a written rental agreement for the premises. **A COPY OF THE WRITTEN RENTAL AGREEMENT FOR THE PREMISES (AND ANY AMENDMENTS TO THE RENTAL AGREEMENT) IS ATTACHED.**
 - There is no written rental agreement for the premises, only an oral agreement.
 - There is an expired written rental agreement for the premises. **A COPY OF THE WRITTEN RENTAL AGREEMENT (AND ANY AMENDMENTS TO THE RENTAL AGREEMENT) IS ATTACHED.**
 Defendant is a month-to-month tenant.
6. Defendant has broken the rental agreement because:
 - Unpaid rent \$ _____
 - Other _____
7. Written notice was given to Defendant on (date) _____, 20 ____ to correct this situation as follows: 5-day non-payment 10-day non-monetary default 45-day termination of month-to-month tenancy or as specified in the rental agreement or statute(s). **A COPY OF THE WRITTEN NOTICE IS ATTACHED.**
8. Despite the notice, Defendant has failed to correct this situation and still is in possession of the premises.

COMPASP

I certify that this is a full, true, and correct
copy of the original on file in this office.

Clerk, District Court of the above Circuit, State of Hawai‘i

COMPLAINT (continued)

9. As of (date): _____ Defendant(s) owed Plaintiff(s) \$ _____ for:

Rent itemized as follows: _____

Other: _____

Plaintiff is asking the Court for the following:

A. A judgment giving Plaintiff possession of the premises.

B. A Writ of Possession directing the Sheriff or Police Officer to:

1. Remove the Defendant from the premises and all persons possessing the premises through Defendant;
2. Remove from the premises all personal belongings of the Defendant and of any other person; and
3. Put Plaintiff in possession of the premises.

C. Judgment against the Defendant for \$ _____ .

In addition, the Court may award any rent and other charges owed under the rental agreement, additional damages, court costs, interest, and reasonable attorney's fees.

| | |
|-------|--|
| Date: | Signature of Plaintiff/Attorney: Print/Type Name: |
|-------|--|

DECLARATION

I DECLARE UNDER PENALTY OF LAW THAT WHAT IS STATED IN THE COMPLAINT IS TRUE AND CORRECT.

| | |
|-------|---|
| Date: | Signature of Declarant: Print/Type Name: |
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In accordance with the **Americans with Disabilities Act** , and other applicable State and Federal laws, if you require an accommodation for your disability when working with a court program, service, or activity please contact the ADA Coordinator at PHONE NO. (808) 961-7424, FAX (808) 961-7411, or TTY (808) 961-7422 **at least (10) working days before** your preceeding, hearing, or appointment date.

For all Civil related matters, please call or visit the District Court at: Hilo Division, 777 Kilauea Avenue, Hilo, Ph. (808) 961-7515 • Kohala Division, 67-5187 Kamamalu Street, Kamuela, Ph. (808) 443-2030 • Kona Division, 79-1020 Haukapila Street, Kealahakua, Ph. (808) 322-8700.