

FILING A COMPLAINT IN EJECTION

1. Fill out a Complaint form.
 - a. Near the top of the first page, write your name in the space above the word "Plaintiff". (You are the Plaintiff.)
 - b. Leave the space after the word " No." blank; this is where the Prothonotary will place the docket number when you file the complaint.
 - c. Write the name of the person you are asking to be ejected above the word "Defendant". (This person is the Defendant.)
 - d. In Paragraph 1, write your name and address.
 - e. In Paragraph 2, write the name of the person you are asking to be ejected and his or her address.
 - f. In Paragraph 3, write the address of the property from which are asking the Defendant be ejected.
 - g. Read Paragraphs 4, 5 and 6.
 - h. Sign on the line next to the word "Signature". Write your address and phone number where indicated.
 - i. Read and sign the verification on the second page, on the line above the words "signature of Plaintiff". Write the date in the space to the left of your signature.
 - j. Attach a copy of your deed or lease to the back of the Complaint.
2. Fill out a Notice to Defend.
 - a. Near the top of the first page, write your name in the space above the word "Plaintiff". (You are the Plaintiff.)
 - b. Leave the space after the word " No." blank; this is where the Prothonotary will place the docket number when you file the complaint.
 - c. Write the name of the person you are asking to be ejected above the word "Defendant". (This person is the Defendant.)
 - d. At the bottom, write the date and then sign on the line above the word "signature". Then write your name, address and phone number as indicated.
 - e. Attach this Notice to Defend to the front of the Complaint.

3. Fill out a Civil Cover Sheet.

- a. Write "Lycoming" before the word "County" in the top left corner.
- b. Check the box for "Complaint" in the first part of Section A, under "Commencement of Action".
- c. Write your name where it says "Lead Plaintiff's Name".
- d. Write the name of the person you are seeking to eject where it says "Lead Defendant's name".
- e. Check "NO" after "Are money damages requested?" Leave "Dollar Amount Requested" section blank.
- f. Check "NO" after "Is this a Class Action Suit?"
- g. Check "NO" after "Is this an MDJ Appeal?"
- h. Check the box where it says "Check here if you have no attorney (are a self-represented [Pro Se] Litigant)".
- i. In Section B, check the box under the "Real Property" section, for "Ejectment".

4. Fill out a Monitoring Notice.

- a. Near the top of the first page, write your name in the space above the word "Plaintiff". (You are the Plaintiff.)
- b. Leave the space after the word "No." blank; this is where the Prothonotary will place the docket number when you file the complaint.
- c. Write the name of the person you are asking to be ejected above the word "Defendant". (This person is the Defendant.)
- d. In Part I, place a check-mark on the line before "General Civil Case" and then again on the line before "Fast Track"
- e. In Part II, check "No".
- f. In Part III, note any scheduling concerns (like an upcoming vacation or out-of-town travel. Note: the pre-trial conference and trial will not be scheduled within the following few months so only address issues that might arise at least four months after the filing of the Complaint.)

- g. At the bottom, where it says “Name of filing counsel or pro se party”, write your name , address, telephone number and email address as indicated. (After the word “for” you need not write anything; this is for an attorney to designate the name of the client.)
 - h. At the bottom, where it says “Name of opposing counsel or pro se party”, write the Defendant’s name, address, telephone number and email address as indicated. If you don’t know the phone number or email address, leave those blank. (You can leave it blank after the word “for”, this space is for an attorney to designate the name of the client.)
- 5. Make three copies of the Notice to Defend and Complaint (including the verification), one copy of the Civil Cover Sheet and one copy of the Monitoring Notice.
- 6. Take all of the documents to the Prothonotary for filing (at 48 West Third Street, Williamsport, PA 17701). You will have to pay a filing fee of \$146.25 (as of January 2021) unless you also file a Petition to Waive Fees and Costs. (Ask for a separate form for that at the Law Library if you are eligible.)
- 7. The Prothonotary will file-stamp all documents and return the copies to you.
- 8. You must take the Defendant’s copy and the Sheriff’s service copy of the Complaint to the Sheriff for service. You will have to pay a deposit of \$100 for service of the Complaint by the Sheriff. Under Pennsylvania law, service of a civil complaint on a resident of Pennsylvania must be made by the Sheriff.
- 9. You also must provide the Sheriff with the following information, you can just write it on a piece of paper: Your name and address and telephone number, and the Defendant’s name and address (home and work, if you know it), and telephone number. You should write the words “Please serve” in front of the Defendant’s name. Write the docket number of the case at the top.
- 10. Once the Defendant is served with a copy of the Complaint, the Sheriff will file a Return of Service that shows the date and manner of service. As long as you have provided your name and phone number, they will call you to let you know service has been made,

and also to let you know if there is money left from the deposit which can be returned to you. At this point, the court may schedule a conference and will send notice of the conference to both parties.

11. The Defendant must file a response to the Complaint within twenty (20) days after being served. If no response is filed in that time, you may seek a default judgment by mailing to the Defendant a 10-day Notice of Default. Keep a copy of this Notice as you will need it later.
12. If no response is filed within ten (10) days after the Defendant receives the Notice of Default, you may file a Praecipe for Default Judgment. Attach a copy of the 10-day Notice of Default to the Praecipe. This is filed with the Prothonotary. There is a filing fee of \$25.75. The Prothonotary will enter a judgment of possession by default.
13. If the Defendant does file an Answer to the Complaint, you will receive a Scheduling Order from the court. This Order will provide for a period of discovery (exchange of information) and set a date and time for a pre-trial conference. Following that pre-trial conference you will get a date and time for trial. Following the trial, if the court finds in your favor, the court will enter an order of possession which allows you to ask the Sheriff to eject the Defendant.
14. If you get either a judgment by default or by court order, which entitles you to eject the Defendant, you may file a Praecipe for Writ of Possession (along with a blank writ of possession) in the Prothonotary's office. There is a filing fee of \$45.00. The Prothonotary will issue the writ to the Sheriff who will then eject the defendant from the property.
15. If the Defendant leaves the premises at any time during the process *before* the court enters a final judgment of possession, you should file a Praecipe to Settle, Discontinue and End so the court knows there is no need for further proceedings.

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO.
Plaintiff	:	
vs.	:	CIVIL ACTION - LAW
	:	
_____	:	
Defendant	:	

COMPLAINT IN EJECTMENT

1. Plaintiff is _____, an adult individual residing
at _____.

2. Defendant is _____, an adult individual residing
at _____.

3. Plaintiff is the legal owner/lessor of the following property ("the premises"):

_____.

A copy of the deed/lease which evidences Plaintiff's ownership and/or right to
possession is attached hereto.

4. Defendant is currently in possession of the premises.

5. Defendant has no valid legal right to possession of the premises.

6. Plaintiff has requested Defendant to vacate and move from the premises.

Defendant has ignored the request of Plaintiff.

WHEREFORE, Plaintiff requests this Court issue a judgment for possession of
the premises.

Respectfully submitted,

Signature:

Address:

Phone number:

VERIFICATION

I, _____, state that I am the Plaintiff in the foregoing matter and that the facts set forth in the foregoing Complaint in Ejectment are true and correct to the best of my knowledge, information and belief. I further understand that false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date: _____

(signature of Plaintiff)

_____	:	IN THE COURT OF COMMON PLEAS OF
Plaintiff	:	LYCOMING COUNTY, PENNSYLVANIA
	:	
vs.	:	CIVIL ACTION - LAW
	:	
_____	:	
Defendant	:	NO.

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Bar Association
 Lawyer Referral Service
 100 South Street (P.O. Box 186)
 Harrisburg, PA 17108
 (800) 692-7375

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Lycoming County is required by law to comply with the Americans With Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the office of the Lycoming County Court Administrator, Lycoming County Courthouse, 48 West Third Street, Williamsport, PA 17701, Telephone No. (570) 327-2330. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Date: _____

(signature)

Name: _____

Address: _____

Phone: _____

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

County _____

For Prothonotary Use Only:

Docket No: _____

FILED STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☐ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name: _____

Lead Defendant's Name: _____

Are money damages requested? ☐ Yes ☐ No

Dollar Amount Requested: ☐ within arbitration limits
☐ outside arbitration limits
 (check one)

Is this a *Class Action Suit*? ☐ Yes ☐ No

Is this an *MDJ Appeal*? ☐ Yes ☐ No

Name of Plaintiff/Appellant's Attorney: _____

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other: _____

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other: _____

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: _____

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other _____
☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other _____
☐ Other: _____

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other: _____

CIVIL APPEALS

Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other _____

☐ Zoning Board
☐ Other: _____

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other: _____

**COURT OF COMMON PLEAS, LYCOMING COUNTY, PENNSYLVANIA
CASE MONITORING NOTICE**

Plaintiff

vs.

Defendant

:
: DOCKET NO: _____
:
: CIVIL ACTION
:

I. This matter is:

_____ **Mortgage Foreclosure** (file once an **Answer** has been filed).
Time needed for trial ____ (1 day) ____ (1/2 day).

_____ **Credit Card Collection Case** (file once an **Answer** has been filed)
a) ____ Arbitration. (\$50,000 or less) Time needed for discovery? ____ months
b) ____ Trial. Time needed for discovery? ____ months

_____ **Forfeiture** (file once an **Answer** has been filed)

_____ **Administrative Agency Appeal** (file with **Notice of Appeal**)

_____ **General Civil Case** (file with **Complaint**):
a) ____ Arbitration. (\$50,000 or less) Time needed for discovery? ____ months
b) ____ Fast track (4 month discovery period)
c) ____ Normal track (9 month discovery period)
d) ____ Complex track (12 month discovery period)
e) ____ Medical Malpractice (14 month discovery period)

_____ **Other.** Action requested: _____

II. Jury trial demanded? ____ YES ____ NO

III. Please note any special scheduling concerns: _____

Name of filing counsel or pro se party: _____ for _____

Address: _____

Telephone number: _____

Email address: _____

Opposing counsel or pro se party: _____ for _____

Address: _____

Telephone number: _____

Email address: _____

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA
CIVIL DIVISION

Plaintiff :
vs. : File No. _____
Defendant :

To: _____
Defendant

Date of Notice: _____

IMPORTANT NOTICE
Pursuant to Pa.R.C.P. No. 237.1(a)(2)

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

TELEPHONE NO. _____

Signature: _____
Signature of Plaintiff or Atty.

Attorney for: _____

Supreme Court ID No.: _____

Address: _____

Telephone No.: _____

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

CIVIL DIVISION

VS

File No. _____

PRAECIPE FOR JUDGMENT

Enter Judgment in favor of Plaintiff / Defendant and against:

for want of _____.

(☐) Assess damages as follows:

Debt----- \$ _____

Interest from _____ --- _____

Attorney's Commission ----- _____

TOTAL ----- \$ _____

(☐) I certify that the foregoing assessment of damages is for specified amounts alleged to be due in the complaint and is calculable as a sum certain from the complaint.

(☐) Pursuant to Pa.R.C.P. No. 237 (notice of praecipe for final judgment or decree), I certify that a copy of this praecipe has been mailed to each other party who has appeared in the action or to his or her Attorney of Record.

(☐) Pursuant to Pa.R.C.P. No. 237.1, I certify that written notice of the intention to file this praecipe was mailed or delivered to the party against whom judgment is to be entered and to his or her Attorney of Record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this praecipe and a copy of the notice is attached.

Date: _____

Signature: _____

Print Name: _____

Attorney for: _____

Address: _____

Telephone: _____

Supreme Court ID No.: _____

NOW, _____, _____, JUDGMENT IS ENTERED AS ABOVE.

Prothonotary/Clerk, Civil Division

by: _____
Deputy

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA
CIVIL DIVISION

:
:
:
:
: NO
:
:
:
:

PRAECIPE FOR WRIT OF POSSESSION

TO THE PROTHONOTARY/CLERK OF SAID COURT

Issue a writ of possession in the above matter.

Date_____

Signature_____

Printed Name_____

Address_____

Attorney for_____

Telephone_____

Supreme Court ID_____

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA
CIVIL DIVISION

: NO

:

: Costs (to be completed by Prothonotary)

: Plaintiff Paid _____

: Defendant Paid _____

: Due Prothonotary _____

: Other Costs _____

WRIT OF POSSESSION

TO THE SHERIFF OF SAID COUNTY:

1. To satisfy the judgment for possession in the above matter, you are directed to deliver possession of the following described property to _____

(Description of property must be included in or attached to the writ)

2. To satisfy the costs against _____, you are directed to levy upon any property of _____ and sell his or her interest therein.

Date _____

Prothonotary

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

_____	:	NO. _____
Plaintiff	:	
vs.	:	
	:	
_____	:	
Defendant	:	

PRAECIPE TO SETTLE & DISCONTINUE

To the Prothonotary:

Kindly mark the above-entitled matter as settled and discontinued with prejudice.

Signature: _____
(Plaintiff)

Name: _____

Address: _____

Telephone: _____