

**In the Common Pleas Court of Franklin County
Civil Division**

Plaintiff's name
Plaintiff's address

Case No. _____

Vs.

Defendant's name
Defendant's address

Complaint for Forfeiture of a Land Contract

FIRST CLAIM FOR RELIEF

1. Plaintiff, _____ is the owner in fee simple of the real estate described in Exhibit A attached to this Complaint (the "Property").
2. The Property is improved by a dwelling.
3. On _____, 20_____, Plaintiff entered into a written land installment contract (the "Land Contract") with Defendant, _____, in which Plaintiff agreed to sell and Defendant agreed to purchase the Property. A copy of the Land Contract is attached to this Complaint as Exhibit B.
4. On _____, 20_____, the Land Contract was recorded in Volume _____, Page _____, of the Mortgage Records of _____ County, Ohio.
5. The purchase price for the Property as set forth in the Land Contract was \$ _____, payable as follows: \$ _____ in cash on the date of execution of the Land Contract, and the balance of \$ _____, together with interest at the rate of ____ percent per annum, payable in monthly installments of \$ _____ each, commencing on _____, and on the ____ day of each subsequent month until _____, at which time the unpaid balance and any accrued interest would become due and payable in full. Defendant also agreed to pay the real estate taxes on the Property, and to maintain and insure the improvements on the Property.

6. Defendant has failed to make the payment due on _____
20_____, and all payments, fees, and charges for which they are liable
subsequent to that date.
7. On _____, 20___ Plaintiff served notice on Defendant a written
notice pursuant to Section 5313.06 of the Ohio Revised Code. This notice identified the
Land Contract, described the Property, specified the terms and conditions of the Land
Contract that have not been complied with, and notified Defendant that the Land Contract
would be forfeited unless the terms and conditions of the Land Contract were performed
within ten days. A copy of the written notice is attached to this Complaint as Exhibit C.
8. Defendant has failed to comply with the terms and conditions of that notice.
9. On _____, 20___, Plaintiff notified Defendant that, pursuant to
the acceleration provision in the Land Contract, the full indebtedness was immediately
due and payable.
10. Defendant did not subsequently pay Plaintiff the full indebtedness.
11. As a result, Plaintiff is entitled to an order declaring the Land Contract cancelled and
forfeited.

SECOND CLAIM FOR RELIEF

12. Plaintiffs restates the allegations of the First Claim for Relief.
13. Defendant paid the sum of \$ _____ at the time of the execution
of the Land Contract and Defendant has made additional monthly payments as required
by the Land Contract in the total sum of \$ _____.
14. The fair rental value of the Property is \$ _____ per month.
15. Defendant was in possession of the Property since _____, until
_____, for a total of _____ months.
16. The difference between the fair rental value for the Property and the amount paid by
Defendants is \$ _____.
17. Defendants damaged the Property in this way
_____.

18. The reasonable cost to repair the damage, including labor and materials, is the sum of \$_____.

WHEREFORE, Plaintiff demands judgment as follows: that the Land Contract be forfeited and cancelled; that possession of the Property be restored to them; that Defendant be forever barred and enjoined from asserting any right, title and interest in the Property; that Plaintiffs be awarded judgment in the sum of \$_____ as damages for the fair rental value, and in the sum of \$_____ for the reasonable cost of repairs and replacements; that the Defendant be ordered to pay all court costs; and that Plaintiff be awarded such other legal and equitable relief to which Plaintiff may be entitled.

Certificate of Service

I certify that a copy of this document was mailed to (Name of Opposing Party or Opposing Party's Attorney) _____ by regular U.S. Mail to (Street Address) _____, (City, State, Zip Code) _____ on (Date) _____.

Signature