

THE MAGISTRATE COURT OF HOUSTON COUNTY

89 Cohen Walker Drive
Warner Robins, Georgia 31088
Phone (478) 987-4695 Fax (478) 987-5255
Hours: 8:30 am - 4:30 pm
magistrate@houstoncountyga.gov

The following is a list of current Personal Property Foreclosure filing fees for the Magistrate Court of Houston County.
The Court allows the following payment options: Cash, Company Checks and/or Money Orders.

PERSONAL PROPERTY FORECLOSURE FILING FEES:

| | |
|--|----------|
| One Defendant | \$109.00 |
| ORIGINAL SET PLUS (2) COPIES OF ALL SUPPORTING DOCUMENTS | |
| Two Defendants | \$159.00 |
| ORIGINAL SET PLUS (4) COPIES OF ALL SUPPORTING DOCUMENTS | |
| Three Defendants | \$209.00 |
| ORIGINAL SET PLUS (6) COPIES OF ALL SUPPORTING DOCUMENTS | |
| Each additional Defendant to be served..... | \$50.00 |
| Re-Serve Fee | \$50.00 |
| (Per Defendant) | |

Please Note: The Plaintiff must provide copies of the agreement or note, payment ledger, title, notices, and all other supporting documents.

MILITARY AFFIDAVITS ARE REQUIRED ON ALL DEFENDANTS

PLEASE COME PREPARED.

Please feel free to check out our website that is now available!

<http://www.houstoncountyga.gov>

MAGISTRATE COURT OF HOUSTON COUNTY, GEORGIA

Date Filed: _____

Case No: _____

Plaintiff(s) Name, Address
vs.

AFFIDAVIT FOR FORECLOSURE OF
PERSONAL PROPERTY

Defendant(s) Name, Address

Personally appeared _____ who, on oath, says that he/she is [] Plaintiff(s) [] Agent ; [] Attorney-at-Law; for Plaintiff(s); and is authorized to make this Affidavit, and that Defendant(s) herein, whose address is set forth above herein is indebted to said Plaintiff(s) in the amount(s) of: Principal (\$ _____) and (\$ _____) interest thereon, upon a [] Security Agreement ; [] Contract Retaining Title; [] Rental Agreement, dated _____ in and who, on oath, says that the original thereof, or a true copy of same, is attached hereto and made a part hereof, and that said indebtedness is past due, and that the Defendant(s) is/are either now a resident of Houston County, Georgia, or was a resident thereof at the date said writing was executed, and that this affidavit is made for the purpose of foreclosing indebtedness together with interest thereon and all costs of these proceedings.

This Affidavit is made for the purpose of foreclosing said agreement and obtaining a Writ of Possession for the Property described herein, to wit:

Sworn and subscribed before me this _____ day of _____, 20_____

Plaintiff(s) or - Agent - Attorney

(If Agent /Attorney – Title or Capacity)

Notary Public/Attesting Official/Clerk

Daytime Phone Number

My Commission Expires: _____

Bar Number (if applicable)

NOTICE AND SUMMONS

TO THE ABOVE-NAMED DEFENDANT (s):

You are hereby commanded and required personally or by attorney to file with the Clerk of the Magistrate Court of Houston County, within (7) days from the date of service of the within affidavit and summons, or on the first business day thereafter if the seventh day falls on a Saturday, a Sunday, or a legal holiday, then and there to answer said affidavit in writing. Mail answer to, or file in person at: 89 Cohen Walker Drive, Warner Robins, Georgia 31088. If the Defendant(s) fails to answer on or before the seventh day from the date of service, the Defendant(s) may reopen the default as a matter of right by making an answer within seven (7) days after the date of the default notwithstanding the provisions of O.C.G.A. 9-11-55. If the seventh (7) day is a Saturday, a Sunday, or a legal holiday, the answer may be made on the next day which is not a Saturday, a Sunday, or a legal holiday. If the answer is not so made, a writ of possession shall issue against Defendant(s) as by law provided, pursuant to Plaintiff(s)' affidavit.

Filed this _____ day of _____ 20_____

Magistrate/ Deputy Clerk

APPLICATION FOR PERSONAL PROPERTY FORECLOSURE

1. Type of claim: () Security Interest () Rental/Leased Personal Property () Title Retention

2. Legal name of Person/Corporation having title or security interest in collateral:

Plaintiff: _____

Email Address: _____

3. Applicant/ Affiant _____

4. Defendant name and address: _____

5. Location of collateral (if different from #4) _____

6. Form of Indebtedness () Promissory Note, () Written Agreement, () Installment Contract,

() Conditional Sale Contact, () Rental/Lease Agreement, or () Sale with Title Retention

7. Description of collateral (Vin #, Serial number or model number, etc.)

8. Default () Failure to pay installments, due dates of unpaid installments _____

() Other: _____

9. Amounts Due: Principal \$ _____, Interest \$ _____, Other \$ _____

10. Has the principal amount due been accelerated () Yes () No

11. Have you rebated unearned interest? () Yes () No

12. Are there future installments to become due: _____ Amount of each \$ _____

If yes, number of installments to become due: _____ Amount of each \$ _____

Frequency: () Monthly () Weekly () Bu- Weekly: Due day/date _____

13. Does agreement provide for collection of attorney fees? () Yes () No

If yes, have you sent notification of intent to enforce? () Yes () No

If yes, what measure of fees: () reasonable () 10% () 15%

14. Mailing address for notices to Plaintiff:

IN THE MAGISTRATE COURT OF HOUSTON COUNTY
STATE OF GEORGIA

Plaintiff,

v.

Case Number _____

Defendant,

MILITARY AFFIDAVIT

The undersigned, after first being duly sworn, states the following:

1.

I am of age, of sound mind, and legally authorized to sign this affidavit on behalf of the Plaintiff.

2.

This affidavit is executed pursuant to the Service Members Civil Relief Act, 50 U.S.C.App. 521. Affiant further acknowledges any false statement made in this affidavit may subject the affiant to imprisonment not to exceed one year and a fine.

3.

Affiant states the Defendant, _____, () is, () is not, or () unable to determine, a member of the military forces of the United States.

4.

Affiant is personally knowledgeable of the facts contained in this affidavit and affirms the information contained herein is true and correct.

This _____ day of _____, 20____.

Signature _____

Printed name: _____

Title: _____

Sworn to and subscribed before me
this _____ day of _____, 20____.

NOTARY PUBLIC/ DEPUTY CLERK
<https://scra.dmdc.osd.mil/scra/#/home>