

_____ (Name)
 _____ (Mailing Address)
 _____ (City, State, Zip Code)
 _____ (Phone Number)
 _____ (Email Address)

IN THE JUSTICE COURT OF RECORD OF MISSOULA COUNTY, MONTANA

<p>_____ Plaintiff(s),</p> <p style="text-align: center;">-vs-</p> <p>_____ Defendant(s).</p>	<p>Case No.: _____</p> <p>Hon. _____</p> <p style="text-align: center;">ANSWER (Possession)</p>
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I am the Defendant (Tenant) in this case. I received a copy of Plaintiff's (Landlord's) Complaint and I answer as follows:

1. The Landlord alleges that we have a lease and that I still reside at the property.
 - I admit this. I deny this. There is not a lease agreement.
 - I deny this. I no longer live at the property.
2. The Landlord alleges that I was sent a notice of termination of the lease.
 - I received this notice. I did not receive this notice.
3. The Landlord alleged specific violations of the lease. I respond to those as follows:

(Attach additional pages to this answer if necessary):

4. I deny everything that I did not admit.

Other (any other legal reason that the court should not evict you):

Request for Relief

I respectfully ask the Court:

1. That the Plaintiff take nothing by the Complaint; and
2. For any other relief that is proper, including awarding court costs to me, if I paid any court costs.

DATED this _____ day of _____, 20____.

Defendant Signature

CERTIFICATE OF SERVICE

hereby certify that a true and correct copy of this Motion was served upon the Plaintiff by placing the same in the U.S. Mail, postage fully paid thereon, addressed as follows on _____ (date).

_____ (Plaintiff)
_____ (Mailing Address)
_____ (City, State, Zip Code)
_____ (Phone Number if known)

Signature of Person certifying this mailing

Is your Answer Ready to File?

1. Enter your name and up to date contact information in the top left corner.
2. Enter the name(s) of the party suing you on the "Plaintiff" line in the caption.
3. Enter your name(s) on the "Defendant(s)" line in the caption.
4. Enter the Case Number listed on the complaint on the "Case Number" line.
5. Enter the Judge's name listed on the Complaint on the "Hon." line.
6. Check the boxes that apply to your case in the field below the caption regarding your lease and complete any additional information you want to include in your Answer
7. Fill in the date you are signing this Answer.
8. Sign your Name on the "Signature" Line
9. Complete the Certificate of Service section **with the same date that you will mail your answer to the Plaintiff (or their attorney, if represented)**. Specify the date of mailing, the address you are mailing your answer to and the name of the intended recipient. This information can be found on your Complaint.
10. Make copies of your answer. You must provide the clerk with enough copies. You need the original for the court file, a copy for each Plaintiff and a copy for each defendant.
11. Take the original and the copies of your answer to the Justice Court Civil Clerk with your \$30.00 filing fee. The clerk will file-stamp the original and the copies. The copies will be stamped and returned to you to mail to the Plaintiff(s).

MCA Statutory References for Tenants:

Proper Notice: Section 70-24-427(1), MCA (Section 70-33-427(1), MCA for rental of a mobile home lot only) requires that the tenancy be terminated before the Complaint is filed.

Proper Notice: Section 70-24-422, MCA (Section 70-33-433, MCA for rental of a mobile home lot only) requires notice to be given in writing.

Proper Notice: Section 70-24-422, MCA (Section 70-33-433, MCA for rental of a mobile home lot only) references the number of days required for Notice by rental agreement or statute.

The notice did not give the correct number of days to move out as required under the rental agreement or by statute.

Retaliation: Section 70-24-431, MCA (Section 70-33-431, MCA for rental of a mobile home lot only) keeps a landlord from retaliating over a tenant complaint by evicting them.

Landlord Requirement: Section 70-24-303, MCA (Section 70-33-303, MCA for rental of a mobile home lot only) lists Landlord's property maintenance requirements by lease and statute.

Essential Services: Section 70-24-408, MCA (Section 70-33-406 for rental of a mobile home lot only), keeps a landlord from failing to provide or stopping essential service provided to a tenant's residence.