

# COMPLAINT

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## Leasing and Failing to Return Leased Property

Before a prosecution can be instituted alleging a violation of Florida Statutes 812.155, dealing with leasing of personal property with intent to defraud or failure to return property, the following information must be provided.

### UNDER OATH:

#### 1. **Victim**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

#### 2. **Person who Rented Property**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

#### 3. **Personal Information of Renter**

Race: \_\_\_\_\_

Sex: \_\_\_\_\_

DOB: \_\_\_\_\_

Other Identifiers: \_\_\_\_\_

#### 4. **Employee who dealt with Renter**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

5. **Was a copy made of the renter's driver's license or ID card?** Yes: \_\_\_\_\_ No: \_\_\_\_\_

If so, please attach a copy to this complaint. Attached? \_\_\_\_\_

6. If no copy was made, how can employee identify renter?

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7. Give detailed description of property in question, including brand name, color, serial No#:

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8. Does this description match the items described on the contract? \_\_\_\_\_

9. What is the current fair market value of the property in question? \_\_\_\_\_

10. Did the renter provide any false information at the time the contract was signed?

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11. Below, show the payment history for the item(s) in question.

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12. What is the termination date for the rental agreement? \_\_\_\_\_

13. Did you send the renter a Certified Letter demanding return of the property within five (5) days after the receipt of the letter? \_\_\_\_\_

If so, please attach a copy of the letter and the return receipt or the returned letter, if unclaimed.

14. Have you made any other attempts to retrieve the property? \_\_\_\_\_

If so, describe:

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15. Does your contract contain the notice required under Section 812.155(6)? (see attached)

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16. Is your contact a rental-purchase agreement? Yes: \_\_\_\_\_ No: \_\_\_\_\_  
If so, does it contain a provision under which you have kept title to the property during the period of the rental agreement? Yes: \_\_\_\_\_ No: \_\_\_\_\_

(NOTE: This applies only to contracts entered on or after July 1, 2001. No prosecution under this section can be instituted for rental-purchase agreements made prior to that date.)

17. Was this property delivered to a residence or business? \_\_\_\_\_

If yes,

a. Who was the person who delivered the item? \_\_\_\_\_

b. What address was the item delivered? \_\_\_\_\_

c. Was this address the same as the one indicated on the rental contact? \_\_\_\_\_

d. Did someone sign for the property at the time of delivery? \_\_\_\_\_

e. Was this the same person who entered into the contact? \_\_\_\_\_

If not, state this person's name and any identifying information. \_\_\_\_\_

f. Can the person who delivered the property identify the person who signed for the delivery? \_\_\_\_\_

How? \_\_\_\_\_

X \_\_\_\_\_

Affiant

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Personally known to me

Produced Identification \_\_\_\_\_

Notary Public

**Make sure a legible copy of the rental agreement is attached to this complaint**