

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

SPECIAL ORDER

IN RE: ADDENDUM TO RESIDENTIAL EVICTION SUMMONS

WHEREAS, on July 29, 2020, Governor DeSantis issued Executive Order 20-180 which extended and amended Executive Orders 20-94, 20-121, 20-137, and 20-159 regarding eviction proceedings, and

“suspend[ed] and toll[ed] any statute providing for final action at the conclusion of an eviction proceeding under Florida law solely when the proceeding arises from non-payment of rent by a residential tenant adversely affected by the COVID-19 emergency”; and

WHEREAS, on September 1, 2020, the CDC issued an agency order titled *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19* (hereinafter CDC Order) which is effective September 4, 2020, through December 31, 2020; and

WHEREAS, the Court finds it necessary to include notice of both Executive Order 20-180 and the CDC Order along with the summons issued in a county court residential eviction case; and

NOW THEREFORE, IT IS ORDERED that, effective immediately, the Polk County Clerk of Court shall attach the *Addendum to Residential Eviction Summons* (attached hereto as Attachment A) to the summons to be served on each defendant in a county court residential eviction case. This Special Order **VACATES AND SUPERCEDES** *Special Order In Re: Addendum to Residential Eviction Summons Regarding Notice Pursuant to Governor’s Executive Order 20-180 (COVID-19)*, entered on August 24, 2020, and shall continue until further order of the Court.

DONE AND ORDERED on this 11th day of September, 2020.

s/ELLEN S. MASTERS, CHIEF JUDGE

Original:
Polk County Clerk of Court

Copies:
All Judges
Polk County Clerk of Court
Nick Sudzina, Trial Court Administrator
Electronic Bar Mailing

IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

ADDENDUM TO RESIDENTIAL EVICTION SUMMONS

**NOTICE OF GOVERNOR’S EXECUTIVE ORDER 20-180 (COVID-19) AND
CDC AGENCY ORDER TITLED *TEMPORARY HALT IN RESIDENTIAL
EVICTIONS TO PREVENT THE FURTHER SPREAD OF COVID-19***

You are entitled to a trial to determine whether you can be required to move. If you intend to assert a COVID-19 related defense pursuant to Executive Order 20-180 or the CDC agency order titled *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19*, you MUST do ALL of the applicable things listed below. You must do them within five (5) days (not including, Saturday, Sunday, or any legal holiday) after the date these papers were given to you, were given to a person who lives with you, or were posted at your home.

1. Asserting a COVID-19 related defense pursuant to Executive Order 20-180: Defendant(s) are hereby noticed that Executive Order 20-180, issued by Governor Ron DeSantis on July 29, 2020, may apply to this matter (unless the Court has previously made such a determination). In order for Executive Order 20-180 to apply to this matter, Defendant(s) MUST submit written reasons to the Court stating why you feel you were “adversely affected by the COVID-19 emergency . . . [by] loss of employment, diminished wages or business income, or other monetary loss realized during the Florida State of Emergency [which] directly impact[ed] the [Defendant(s)] ability . . . to make rent payments.”
2. Asserting a COVID-19 related defense pursuant to the CDC agency order titled *Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19* (hereinafter “CDC Residential Eviction Halt Order”): Defendant(s) are hereby noticed that the CDC Residential Eviction Halt Order, effective September 4, 2020, through December 31, 2020, may apply to this matter (unless the Court has previously made such a determination). In order for CDC Residential Eviction Halt Order to apply to this matter, you must be a “covered person” as defined by the Order and you must submit written reasons stating why you feel you meet the definition of a covered person under the Order.
3. Your written reason(s) for asserting a COVID-19 related defense pursuant to Executive Order 20-180 or the CDC Residential Eviction Halt Order must be given to the Clerk of the Court at one of the following locations:
 - Polk County Courthouse, 255 N. Broadway, Drawer CC-12, PO Box 9000, Bartow, FL 33831
 - Lakeland Government Center, 930 E. Parker St., Room 240, Lakeland, FL 33801
 - Northeast Polk County Government Center, 3425 Lake Alfred Road - #7 Gill Jones Center, Winter Haven, FL 33881
4. You must also mail or give a copy of your written reason(s) asserting either COVID-19 related defense to the Plaintiff.

ATTACHMENT A