

SMALL CLAIMS INSTRUCTIONS
(FOR SUMMARY EJECTMENTS)

**PLEASE READ INSTRUCTIONS CAREFULLY.
THE CLERKS OF THIS OFFICE CANNOT ASSIST YOU IN COMPLETING THE FORMS.**

GENERAL:

1. The **money limit** in Small Claims is **\$10,000.00**.
2. **CREDIT CARDS, MONEY ORDERS, CASH OR BUSINESS CHECKS ONLY, ABSOLUTELY NO REFUNDS.**
3. The Defendant(s) property address **must** be in Mecklenburg County* and the full name and address should be furnished. A Post Office Box **CANNOT** be used.
Note: It is YOUR responsibility to determine if you are filing in the correct county. "Description of Premises" on Complaint must include physical address.
4. The Service Member Civil Relief Act Affidavit must be submitted for all individuals prior to the courtdate. If one is not provided in the packet the form can be found online at <http://www.nccourts.org/Forms/FormSearch.asp>, form number AOC-G-250. You can also check there status here <https://www.dmdc.osd.mil/> (Please print results and submit with the form)
5. PLEASE **PRINT (BLACK INK ONLY) OR TYPE FORMS**. Fillable forms are available on-line (**print front and back on a single page for Complaints and Magistrate Summons**). Forms that are inaccurate, incomplete, or illegible may stop or delay the processing of your claim. Check all copies.
6. If an interpreter is needed please visit the website <http://nccourts.org/languageaccess/documents/interpreterrequestform.pdf> and fill out the Request for Spoken Foreign Language Court Interpreter form **AS SOON AS POSSIBLE**.

SUMMARY EJECTMENTS:

1. **Copies needed for:**

	<u>ON-LINE FORM</u>	<u>FROM CLERK'S OFFICE</u>
One Defendant	Three	(1) Complaint
	Five	(5) Magistrate Summons
Two Defendants	Four	(1) Complaint
	Six	(6) Magistrate Summons
2. A copy of the Complaint and Summons is mailed to the Defendant(s) in addition to being served by the Deputy, therefore, **a stamped envelope addressed to the Defendant(s) should be provided by Plaintiff and will not be provided by Clerks Office.**
3. A **Notice of Hearing Date** will be mailed to you; therefore, **a self – addressed stamped envelope is needed and will not be provided by Clerks Office.**
~Please note that this Notice will be a copy of the Magistrate Summons you provided.~
4. The **Complaint** form should be completely filled out. It is to be dated and signed by you, the Plaintiff and please bring a copy of the Complaint to court.
5. The **Summons** is directed to the Defendant(s) and should be completed at the top of the form with the name and address of the Defendant(s). A phone number is helpful.
DO NOT SIGN THIS FORM. DO NOT XEROX THESE FORMS.
6. Additional fees will apply.

FEES: Filing Fee -- \$96.00 Service Fee -- \$30.00 for **each** Defendant.

HEARING DATE:

Summary Ejectment cases are set approximately Seven (7) days from filing. (If Criminal Activities is selected the courtdate will be set approximately Fifteen (15) days from filing. If a police report is filed with the Summary Ejectment an officer will need to be present in court per Rule of Evidence.)

Mailing Address: Clerk of Superior Court
Attention: Civil Department
P. O. Box 37971
Charlotte, NC 28237-7971

Location: Clerk of Superior Court
Civil Department--Room 3725
832 E. Fourth Street
Charlotte, NC 28202

www.nccourts.org

**SMALL CLAIMS INSTRUCTIONS
(SUMMARY EJECTMENTS)**

GENERAL:

1. The money limit in Small Claims is \$5,000.00.
2. **NO PERSONAL CHECKS -- MONEY ORDERS, CASH OR BUSINESS CHECKS ONLY.**
3. The Defendant(s) **MUST** be a resident of Mecklenburg County and you **MUST** furnish full name and address. A Post Office Box Number cannot be used.
Note: Description of Premises must include physical address.
4. Be sure to use zip codes and phone numbers if you have them.
5. **PLEASE PRINT (BLACK INK ONLY) OR TYPE FORMS.** They must be legible in order for accuracy in processing. You **must** check last copies for legibility.

SUMMARY EJECTMENTS:

1. Copies needed for:
One Defendant - 1 complete (carbonless) set
Five (5) Summons
Two Defendants - 1 complete (carbonless) set
Six (6) Summons
2. You **MUST** provide a stamped envelope addressed to the Defendant(s). A copy of the Complaint and Summons is mailed to the Defendant(s) in addition to being served by the Deputy.
3. You **MUST** to provide a stamped self-addressed envelope so that Notice of Hearing Date can be mailed to you. Please note that this Notice will be a copy of the Magistrate Summons you provided.
4. The Complaint form needs to be **completely** filled out. It must be dated and signed by you, the Plaintiff.
5. The Summons is directed to the Defendant(s) and you **MUST** complete the top of the form with the name and address of the Defendant(s). A phone number is helpful. **DO NOT SIGN THIS FORM. DO NOT XEROX THE FORMS (they cannot be accepted).**

FEES: Filing Fee -- \$70.00 Service Fee -- \$ 15.00 for **each** Defendant.

HEARING DATE:

Summary Ejectment cases are set approximately twelve (12) days from filing.

PLEASE READ YOUR INSTRUCTIONS CAREFULLY.

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YOU IN COMPLETING THESE FORMS.**

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Charlotte, NC 28237-7971

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