

JOHN LAWYER, ESQ.  
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ANYWHERE, USA  
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Attorneys for Plaintiff

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JANE DOE,

Plaintiff(s),

v.

ABC COMPANY, INC.

Defendant(s).

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SUPERIOR COURT OF NEW JERSEY  
[insert] DIVISION  
[insert] COUNTY

DOCKET NO.:

CIVIL ACTION

VERIFIED COMPLAINT WITH DESIGNATION  
OF TRIAL COUNSEL

Plaintiff, Jane Doe, maintaining a principal place of residence at [insert address] by way of complaint against defendant, says:

**PLAINTIFF=S TENANCY**

Plaintiff is a United States citizen and a resident of the [insert town and state].

Upon information and belief, defendant is the owner of certain residential property commonly known as [insert address].

On [insert date], plaintiff and defendant executed a written lease agreement which relates to a residential premises located at [insert address] true copy of the lease agreement executed by the parties is appended hereto as Exhibit A1@.

By operation of law defendant was to have provided plaintiff with a warranty such that her rental premises was habitable and free of defects.

Plaintiff also relied on defendant=s reputation and representations as to the quality and habitability of its rental units in executing the attached lease agreement.

In [insert year] plaintiff became aware that a substantial water leak had developed in her building.

Plaintiff also became aware that prior leaks had been prevalent throughout her building. Plaintiff was never advised of the existence of these leaks nor warned of any damages emanating from mold found within plaintiff=s apartment.

Plaintiff then became aware that extensive mold had been found in her rental unit.

The foregoing mold was so severe that plaintiff became physically ill, had to evacuate her rental unit, and, she suffered a substantial loss of property which was damaged and rendered unusable by exposure to the said mold.

Despite repeated demands upon defendant to compensate her for her losses, defendant has refused to do so thus causing plaintiff to sustain damages.

### **FIRST COUNT - CONSUMER FRAUD**

Defendant breached its lease agreement with plaintiff by performing in an inadequate and inferior manner contrary to defendant=s representations and contrary to plaintiff=s warranty of habitability in violation of the Consumer Fraud Act of [insert] as proscribed in [insert statute], et seq.

As a result of defendant=s inferior performance under the lease and its breach of its warranty of habitability plaintiff has been substantially damaged.

The foregoing conduct on the part of the defendant constitutes a violation of the Consumer Fraud Act of [insert], [insert statute], et seq.

WHEREFORE, the plaintiff demands judgment against the defendant as follows:

- a. Compensatory and/or consequential damages;
- b. Treble damages;
- c. Attorneys= fees;
- d. Lawful interest;
- e. Costs of suit; and
- f. For such other relief as the Court may deem equitable and just.

### **SECOND COUNT - BREACH OF CONTRACT**

Plaintiff repeats and realleges the allegations contained in the First Count as if set forth at length and incorporated herein.

The foregoing conduct constitutes an actionable breach of contract.

Defendant further violated the covenants of good faith and fair dealing implied in every [insert] contract.

As a result of defendant=s actions plaintiff has been damaged.

WHEREFORE, the plaintiff demands judgment against the defendant as follows:

Consequential damages;  
Attorneys= fees;  
Lawful interest;  
Costs of suit; and

For such other relief as the Court may deem equitable and just.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, John Lawyer, Esq. is hereby designated as trial counsel in this matter.

**CERTIFICATION**

I hereby certify that the matter in controversy in this action is not the subject of any other actions pending in any court or of a pending arbitration proceeding, no other action or arbitration proceeding, no other action or arbitration is contemplated and no other parties must be joined in this action.

Dated:

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JOHN LAWYER, ESQ.

## VERIFICATION

STATE OF [insert] :  
COUNTY OF [insert] :  
SS.:  
:

JANE DOE, of full age, being duly sworn, according to law, upon his oath deposes and says:

1. I am the plaintiff in the foregoing Complaint.
2. I hereby certify that the allegations contained in the foregoing Complaint are true best of my knowledge and belief. I am aware that if any statements made by me are ly false, I am subject to punishment.

JANE DOE

Sworn and subscribed to before me  
this      day of                      ,      .

Notary Public