

IN THE _____ COURT OF

(County),
(State)

(Name of Plaintiff) PLAINTIFF

V. CAUSE NO. _____ - _____

(Name of Defendant) DEFENDANT

COMPLAINT

COMES NOW _____
(Name of Plaintiff), Plaintiff in the above-styled and numbered cause, by and through his attorney, and files this Complaint against Defendant, _____
(Name of Defendant), and in support thereof would show unto the Court the following matters and facts:

1. Plaintiff is an adult resident citizen of _____
(city, county, state).

2. Defendant is an adult resident citizen of _____
(city, county, state).

3. On _____ (date), at _____
(street address, city, county, state, zip code),
in consideration of \$_____ to be paid as follows: (terms of payment)

_____,
Defendant entered a contract with Plaintiff to build a residence (herein called **House**) for Plaintiff, a copy of which contract is attached hereto as **Exhibit A**, and incorporated herein by reference. Said contract contains the plans and specifications for the construction of the House. Under the contract, Defendant agreed to perform such construction in a workmanlike manner.

4. Defendant also had an implied duty to Plaintiff to construct the House in a workmanlike manner. Plaintiff relied on Defendant to construct the House in a workmanlike manner.

5. On or about _____ (date), Plaintiff the purchased the House and moved in on _____
(date).

6. Defendant's failure to construct the House in a workmanlike manner caused *(describe evidence of bad workmanship, e.g., the foundation began to crack, the floors became unlevel; the doors became stuck, and the foundation walls leaked water)*

_____.

8. Plaintiff requested Defendant to repair the damage but Defendant failed or refused to do so.

9. As a result of the failure of Defendant to honor Plaintiff's request, Plaintiff then employed contractors to repair the damage at a cost of \$_____.

10. Plaintiff has suffered additional damages in the amount of \$_____ for the diminished market value of the House because it was constructed in an unworkmanlike manner.

11. Plaintiff will, with reasonable certainty, suffer additional damages in the future of at least \$_____ to repair defects caused as a result of the said breach of contract by Defendant, all of which will be necessary in order to make the House safe and a suitable place of housing for Plaintiff and family.

12. Defendant did foresee or should have foreseen that all of the items of damage would occur due to Defendant's failure to construct the House in a workmanlike manner.

Wherefore, Plaintiff requests judgment against Defendant for the sum of \$_____, plus attorney's fees in the amount of \$_____, for the total sum of \$_____. Plaintiff further requests costs of suit and such other relief as this Court may deem just and proper.

Witness my signature this the ____ day of _____,
20_____.

Respectfully submitted,

(Name of Plaintiff)

By: _____
(Name of Plaintiff's Attorney)

State Bar No. _____
One of His Attorneys

OF COUNSEL:

_____ *(Name of Plaintiff's Attorney)*

Post Office Box _____ - _____

City, State, Zip Code _____

Telephone: _____ - _____ - _____