IN THE MAGISTRATE COURT OF FULTON COUNTY
STATE OF GEORGIA

_____	)	
_____	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION FILE NO.:_____
v.	)	
	)	
_____	)	
	)	Amount due by_____: $_____
		Due 5th of each month beginning
		_____: $_____
Defendant.		

PLAINTIFF'S MOTION TO COMPEL PAYMENT OF RENT INTO THE REGISTRY OF THE COURT

COMES NOW Plaintiff in the above-styled action and pursuant to O.C.G.A. §44-7-54, files this Motion to Compel Payment of Rent into the Registry of the Court. Plaintiff shows that Defendant has filed an answer in this action and remains in possession of the premises without paying the rent owed into the Court Registry. Plaintiff further shows that the issue of the right of possession cannot be finally determined within two weeks from the date of service of the summons and dispossessory affidavit.

Plaintiff now moves for relief pursuant to O.C.G.A. 44-7-54(a) and this Court's Standing Order on Motions to Compel Payment of Rent into the Registry of the Court, and requests that a writ of possession be issued without further order of the Court upon Tenant's failure to pay $_____ fifteen days from the date postmarked on the Certificate of Service sent to the Tenant, representing the following past-due amounts:

____ months at a monthly rate of $_____. This is the base rent only and does not include late fees or utilities and represents rent for the period of _____ to _____.

Plaintiff further seeks the issuance of a writ of possession without further order of the Court upon Tenant's failure to pay into the Court Registry $_____ on or before the 5th day of each month beginning _____, 202___ and continuing thereafter until the issue of possession is resolved.

WHEREFORE, Plaintiff prays that the above motion be granted.

Respectfully submitted this ___ day of _____, 202___.

_____
Attorney for Plaintiff

Address, telephone number, fax number,
Email address and State Bar number

NOTICE TO TENANT:

1) Your landlord has filed a motion to pay rent into court, as required by law.
2) You have 14 *calendar* days from the date postmarked on the Certificate of Service attached to this motion to file a response *if*:
   (1) you disagree with the amount owed/base rent as stated by your Landlord (lease or other documents must be filed); OR
   (2) you have paid the rent owed at the time of filing to your Landlord (receipts must be filed); OR
   (3) you have paid some or all of these funds to your Landlord. You can submit receipts to the Court showing the payments made. You will still need to pay any remaining balance allegedly owed into the Court Registry within the time ordered by the Court's Standing Order on Motions to Compel Payment of Rent into the Registry of the Court.
3) If you do not file a response for the reasons stated above, you will be required to pay all the rent owed under the terms of the lease, including all rent allegedly owed before the dispossessory warrant was issued, and monthly rent coming due thereafter *without further order of the Court*. This amount does NOT include late fees or utility charges. Therefore, it is important that you appear at the scheduled hearing, even if you have paid all rents due into the registry of the Court. Failure to appear may result in the landlord requesting a writ of possession if the Court determines that additional amounts are owed at the time of the hearing.
4) Rent owed at the time of filing of the dispossessory action must be paid into the Court Registry fifteen (15) days from the date postmarked on your Certificate of Service.
5) Monthly rent must be paid into the Court Registry by the due date stated in this motion.
6) Failure to pay rent as it becomes due will result in the issuance of a writ of possession upon application by your Landlord. The Court's Standing Order can be accessed at www.MagistrateFulton.org by typing "Standing Order Compel" in the search bar.

7) If you have responded to your landlord's motion and there is a dispute about the amount of rent owed, you do not need to take any further action until the Court issues an Order with further instructions.
8) The Answer to the dispossessory action will not be considered a response to your landlord's motion. A separate response to the motion must be filed.

8) Rental payments must be made in the form of money order, cashier's check, or cash at the Clerk of Magistrate Court's Treasury Department, located at 136 Pryor Street SW, 1st floor, Suite J2-103, Atlanta, Georgia, 30303. **Failure to make full payment will result in a writ of possession.**

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	)	
_____	)	
	)	
Defendant.	)	

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing **Motion to Compel Payment of Rent Into the Registry of the Court** with the Clerk of Court using the Court's ECF system. I further certify that I have this day served via First-Class U.S. Mail, postage prepaid, addressed to:

_____

_____

_____

Respectfully submitted this ___ day of _____, 202_.

Attorney for Plaintiff

Address, telephone number, fax number,
Email address and State Bar number