Instructions to plaintiff

Small Claims Court is where a person can sue for **money damages only up to $5,000**.
In the case of a **home improvement contract, money damages are limited up to $15,000**.
You may also ask for interest and costs.

When a residential tenant sues a landlord for the return of a withheld security deposit, the court may award the tenant twice the amount of the security deposit even if the total amount of damages and costs, combined, is greater than $5,000.

The Small Claims Court does not hear libel and slander cases.

The numbered sections of these instructions correspond to the numbered sections of the form. For more information, see *How Small Claims Court Works* (JDP-CV-45) at the Clerk's Office or at www.jud.ct.gov/faq/smallclaims.html.

1. **Address of Court**
   Landlord or Tenant: Enter the town where the rental property is located.
   Individual: Enter one of the following: the town (a) where you live, (b) where the defendant lives or where the defendant's business is located, or (c) where the transaction or injury occurred.
   Business Entity (including a domestic or foreign business organization): Enter one of the following: the town (a) where the defendant lives, (b) where the defendant is doing business, or (c) where the transaction or injury occurred.
   Note: An out-of-state **individual defendant** must own real or personal property in Connecticut to be sued in small claims court.
2. **Case Type Codes:** Select one code that best describes your case:

Code	Description
S00	Collection - Credit Card (Original Owner)
S05	Collection - Hospital
S10	Collection - Medical Non-Hospital
S15	Collection - Purchased Debt
S20	Contract - Home Improvement
S25	Contract - Other
S50	Tort - Motor Vehicle
S55	Tort - Other
S90	All Other
H11	Housing - Return of Security Deposit
H13	Housing - Rent and/or Damages

3. **Landlord/Tenant Dispute**
   Select appropriate box.
4. **Rental Property Location**
   If this is a landlord/tenant dispute, then write in which town the rental property is located.
5. **Plaintiff(s)**
   You are the plaintiff because you are suing the defendant. If there is more than one plaintiff, use the *Continuation of Parties* (form JD-CV-67). Enter the complete and correct legal name, address, telephone number, and e-mail address each plaintiff. For each plaintiff, select the box for the type of plaintiff.
6. **Attorney Information**
   If you are an attorney complete this section.
7. **Defendant(s)**
   The defendant is the person you are suing. Use one box for each defendant. For more than two defendants, use the *Continuation of Parties* (form JD-CV-67). Enter the complete and correct legal name, address, telephone number, and e-mail address for each defendant. For each defendant, select the box for the type of defendant.
8. **Statute of Limitations**
   There is a time limit for starting a case. The time limit is different for each type of case. See General Statutes §§ 52-573 through 52-598a.
9. **Address Verification**
   Select the box(es) that made you confident you are using the correct address for the defendant(s).
10. **Amount Claimed**
    Enter the amount of money you claim the defendant owes you. Do not include the filing fee. The amount must be within the limits noted above. If you claim pre-judgment interest or double damages because your landlord wrongfully withheld your security deposit, select the box(es) that apply.
11. **Reason for Claim**
    Clearly describe your case. You may attach additional pages. Explain your claim for money damages, interest, and/or double damages for a wrongfully withheld security deposit. You may attach copies (not originals) of documents to support your case (for example, a lease or contract). Attachments may not be returned to you. Bring original documents to your hearing.
12. **Signature and Oath**
    You must sign the form in front of the person who is taking your oath. The person taking your oath must also sign.

Keep a copy of everything.

Next Steps: **After completing the form, serve (deliver) it to each defendant**. Whether you hire a state marshal to serve the form, or you perform the service yourself, a copy of the completed form and the Instructions to Defendant (form JD-CV-121) must be delivered to each defendant before filing those documents with the court. See *How to Serve (Deliver to Defendant) a Small Claim Writ and Notice of Suit* (form JD-CV-122) for instructions. After all documents have been served, file the original of this form, copies of your supporting documents, and *Statement of Service* (form JD-CV-123) for each defendant with the court. Pay the appropriate entry fee. Keep all originals of supporting documents. If the defendant is an individual and does not file an answer, you must file a military affidavit before the case can be reviewed for a default judgment. See **https://www.jud.ct.gov/faq/smallclaims.html#17** for more information.

Print Form Reset Form

SMALL CLAIMS WRIT AND NOTICE OF SUIT
JD-CV-40 Rev. 11-24
C.G.S. §§ 51-15, 51-345(g)

This form is available in other language(s).

STATE OF CONNECTICUT
SUPERIOR COURT
SMALL CLAIMS SESSION
www.jud.ct.gov

1.) Address of Court	2.) Case type code *(See list on reverse page 1)*

3.) Is this claim between a landlord and a tenant? (*Select one*) ☐ Yes ☐ No	4.) If "Yes" to question #3, the rental property is located in the following town:

Parties	**Name *(Last, First, Middle Initial)* and Address of Each Party *(Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)***		
5.) First plaintiff	**Name:** **Address:** **Telephone:** **E-mail:**	(*Select one*) ☐ Individual ☐ DBA ☐ Business Organization	**P-01**
6.) Name, address, and zip code of Attorney for plaintiff(s)		Attorney's Juris Number	Telephone number *(w/area code)*
7.) First defendant	**Name:** **Address:** **Telephone:** **E-mail:**	(*Select one*) ☐ Individual ☐ DBA ☐ Business Organization	**D-01**

☐ For more than 1 plaintiff/defendant, attach Continuation of Parties (form JD-CV-67) and *select this box.*

8.) If this claim is a consumer debt, which is a debt or obligation made primarily for personal, family, or household reasons, explain why you believe the statute of limitations has not expired.

9.) In the last 6 months, how did you verify that the address given for defendant(s) is accurate?
Select all boxes that apply and provide the dates verified.

☐ I checked town or city records (for example, checking a street list or tax records) on: *(date)* _____

☐ I checked with the Department of Motor Vehicles on: *(date)* _____

☐ I received correspondence (letters or other mail) from the defendant with that return address on: *(date)* _____

☐ I received other proof from the defendant that the address is current *(describe details below)*

☐ At least 4 weeks before this action was filed, I sent a letter by first class mail to the defendant at the address used and it has not been returned to me by the United States Postal Service as of: *(date)* _____

10.) Amount claimed*

Plus Costs

☐ Plus pre-judgment interest**
☐ Plus double damages for security deposit withheld**

***You MUST explain how much you want for each item in section 11 below.*

**The Amount claimed cannot exceed $5,000 or $15,000 for a home improvement contract case (S20).*
**If you are claiming pre-judgment interest or double damages for security deposit withholding, select the box(es). Do not include these amounts in box 10.*

To defendant(s):

11.) **You are being sued**. The plaintiff(s) claims you owe this money for the following reasons:

The person signing below, being duly sworn, states that he or she has read the claim above and the information contained in this form and, to the best of his or her knowledge, information and belief, there is good ground to support the claim and the information is true.

12.) Signed	Type in name of person signing at left and title, if applicable	*For Court Use Only (Date/Stamp)*
Subscribed and sworn to before me on Date	Signed *(Clerk, Notary, Commissioner of the Superior Court)*	

For information on ADA accommodations, contact the Centralized ADA Office at 860-706-5310 or go to: www.jud.ct.gov/ADA/

Docket Number

Print Form Reset Form