



TOM BEXLEY, Clerk of the Circuit Court & Comptroller

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INFORMATION FOR FILING A REPLEVIN COMPLAINT AGAINST A PAWNBROKER F.S. 539.001 (15)(A):

If you have been a victim of stolen or misappropriated property that has been located in a pawnshop, you may be able to recover your property by filing suit, at no cost to you, in Civil Court.

- Report theft of property to law enforcement and obtain a copy of the report.
- You must provide the pawnbroker with a Notice of Claim to the property by certified mail, return receipt requested, or in person. If provided in person, you must obtain the signed receipt from the pawnbroker.
- The Notice of Claim to the pawnbroker must contain:
 - A complete and accurate description of the property.
 - Must be accompanied by a legible copy of the report made to law enforcement regarding the misappropriation of the property.
- If you and the pawnbroker do not resolve the matter within ten (10) days after the pawnbroker receives the notice, you may petition the Court to order the return of the property. The property must be held by the pawnbroker until the matter is resolved by the court.
- Complete Petition for Replevin for Goods Held by a Pawnbroker form.
- Submit the petition, a legible copy of the report made to law enforcement, the Notice of Claim and the signed receipt to the Clerk of the Court in the Civil Division.

JURISDICTION – A replevin complaint must be filed in the Court which holds jurisdiction based upon the value of the property sought to be replevied. When property consists of several articles, the property may not be divided to give jurisdiction to the Small Claims Court.

VENUE – A replevin complaint to recover misappropriated property from a pawnbroker should be filed in the county where the pawnbroker is located.

COMPLAINT – The replevin complaint form should be typed or legibly printed. After completing the form, attach the supporting documentation required in Florida Statute 539.001 (copy of letter to pawnbroker from plaintiff, signed receipt from pawnbroker evidencing receipt of the letter, copy of the applicable law enforcement agency's report) and file it with the Clerk of Court.

FILING FEES – All Court filing fees and sheriff's fees are waived pursuant to F.S. 539.001, 15(a).