

IN THE MAGISTRATE COURT OF _____ COUNTY, WEST VIRGINIA

Petitioner: _____ Case No. _____

v. _____

Respondent: _____

**ANSWER: WRONGFUL OCCUPATION OF
RESIDENTIAL RENTAL PROPERTY OR FACTORY-BUILT HOME SITE**

WV Code §§ 55-3A-2, 50-4-9, 55-3B-4, 55-3B-5, Mag. Court Civil Rules 4, 5, 8, 9

I, the respondent in the above case, answer the allegations in the petition by admitting the matters set forth in the petition and confessing judgment; **or** denying the matters set forth in the petition; **or** admitting in part and denying in part the matters set forth in the petition;

and (if applicable)

raising defense(s) explained below:

- the premises are defective and violate the warranty of habitability as described below;
- the action was filed in retaliation for complaints I made about the premises as described below;
- the duty to pay rent depended on an express or implied covenant or warranty described below which the landlord breached;
- other as described below;
- asserting a counterclaim explained below;
- asserting a cross-claim explained below;

and further state

_____/_____/_____
Date Respondent's Signature Respondent's Phone Number

Respondent's Address

Notice to Respondent: One copy of this answer must be filed with the court and one copy must be delivered by hand or mailed to the attorneys for all other parties or to the parties themselves if they are not represented by attorneys.

CERTIFICATE OF SERVICE

I, _____, hereby certify that I have served a copy of the above answer on the attorneys for all parties, or if such parties are not represented by attorneys, to the parties themselves on the _____ day of _____, 20_____ by hand / by first-class mail to:

Name and address of attorneys or parties served: