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| Enter the name of the county in which this case was filed. | **STATE OF WISCONSIN, CIRCUIT COURT,**  **COUNTY** | | | | |  | |
| Enter the Plaintiff(s) name. | Plaintiff(s):    -vs-  Defendant(s): | | | | |
| Enter the Defendant(s) name.  Enter the case number. | **Affidavit Based on Noncompliance Eviction**  **(Small Claims)**  Case No. | |
|  | **UNDER OATH, I STATE:** | | | | | | |
| For 1, enter the date of the agreement and describe what the agreement required the parties to do. | 1. The plaintiff(s) and the defendant(s) entered into a stipulation (Agreement) on   [Date]       . It was agreed that  . | | | | | | |
|  | 1. The stipulation stated that if the defendant(s) did not comply with the terms of the agreement, the plaintiff(s) could file an Affidavit of Noncompliance (SC-5400VA/VB) without notifying the defendant(s), ask the court to vacate the dismissal, enter judgment of eviction against the defendant(s), and upon payment of the fee, issue a writ of restitution (order to vacate). | | | | | | |
| For 3, state how the defendant(s) failed to comply with the agreement. | 3. The defendant(s) did not comply with the following term(s) of the agreement:  missed a scheduled payment, which was due on [Date]       .  failed to vacate the premises by [Date]       .  Other: | | | | | | |
|  | 4. I ask the court to vacate the dismissal, enter judgment for eviction against the defendant(s), and upon payment of the fee, issue a writ of restitution (order to vacate) directing the Sheriff to remove the defendant(s) and all personal property that is not property of the plaintiff(s), from the premises. | | | | | | |
| For 5, check 5A or 5B as agreed to in the stipulation.  If 5B, complete 1-3. | 5. I ask the court to vacate the dismissal and  A. schedule a hearing to determine the amount of a money judgment against the defendant(s),or  B. grant a money judgment against the defendant(s) as follows: | | | | | | |
|  | 1) | | | Amount specified in the Stipulation: | | | $ |
|  | | 2) | Subtract amount of any payments made since the Stipulation: | | | $ |
|  | | 3) | Judgment amount: | | | $ |
|  |  | | 4) | **Plus statutory costs and disbursements to be determined by the clerk of court.** | | |  |
|  | | **STOP!**  **Take this document to a Notary Public BEFORE you sign it.** | | | | | |
| After you have been sworn by a Notary Public, sign and print your name and date the document in front of the Notary Public. | | State of  County of  Subscribed and sworn to before me on    Notary Public/Court Official    Name Printed or Typed  My commission/term expires:  This notarial act involved the use of communication technology. | | | ►  Plaintiff    Print or Type Name    Address    Email Address    Telephone Number Date | | |
| Have the Notary Public sign and date the document. | |
|  | |  | | |  | | |
| After you have been sworn by a Notary Public, sign and print your name and date the document in front of the Notary Public. | | State of  County of  Subscribed and sworn to before me on    Notary Public/Court Official    Name Printed or Typed  My commission/term expires:  This notarial act involved the use of communication technology. | | | ►  Plaintiff    Print or Type Name    Address    Email Address    Telephone Number Date | | |
| Have the Notary Public sign and date the document. | |
| **PARTIES MUST ATTACH THE PROPOSED ORDER.** | | | | | | | |