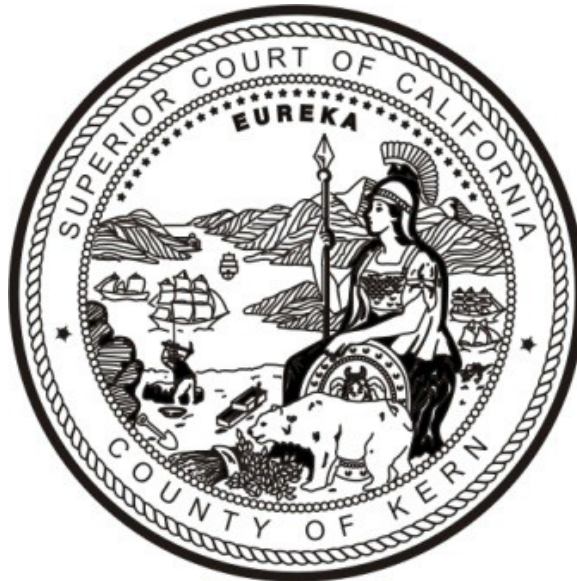


PAQUETE DE DESALOJO

UNLAWFUL DETAINERS

SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN METROPOLITAN DIVISION



FORMAS INCLUIDAS EN ESTE PAQUETE	
Judicial Council Form CM-010	Civil Case Cover Sheet
Judicial Council Form SUM-130	Summons
Judicial Council Form UD-100	Complaint
Judicial Council Form CP10.5 (if needed)	Prejudgment Claim of Right to Possession
Judicial Council Form UD-120	Verification by Landlord Regarding Rental Assistance
Judicial Council Form POS-010	Proof of Service of Summons

Landlord – Tenant Assistance Center

1415 Truxtun Avenue, 3er Piso, Bakersfield, CA 93301

Horario: Lunes a Jueves 8:00 a.m. a 2:00 p.m.(cerrado de 12:00 p.m. a 1:00 p.m.)

Viernes de 8:00 a.m.- 12:00 p.m.

Linea Telefonica al (661) 610-6299 Correo Electronico: LTAC@kern.courts.ca.gov

Rev.

01/26/2026

POR FAVOR TENGA EN CUENTA QUE LOS EMPLEADOS DE LA CORTE NO PUEDEN DAR CONSEJO LEGAL. Se recomienda que usted pida consejo legal o haga su propia investigación legal si no está familiariza con este proceso legal. Información adicional está disponible en el sitio web de la Corte Superior, www.kern.courts.ca.gov, y pagina web del Centro de Auto Ayuda de Judicial Council, <http://www.courts.ca.gov/selfhelp-housing.htm>

Landlord-Tenant Assistance Center (LTAC) está situado en 1415 Truxtun Ave, 3er Piso Bakersfield, CA 93301. LTAC es un proyecto piloto de la corte entre el Tribunal Superior del Condado de Kern y **Greater Bakersfield Legal Assistance** (GBLA), y está financiado por el Sargent Shriver Civil Counsel Act (GC\$68650). LTAC esta diseñado para asistirle en cuestiones generales del propietario e inquilino. Adicionalmente, usted puede solicitar información en la biblioteca de leyes del Condado de Kern ubicada en el 3er piso en 1415 Truxtun Avenue, Bakersfield, CA 93301.

QUIEN PUEDE DESALOJAR A UN INQUILINO?

- **El dueño** de la propiedad; o
- **El encargado de la propiedad** puede desalojar al inquilino SOLO si tiene un contrato en escrito con el inquilino; o
- **El inquilino** puede desalojar a un sub-inquilino SOLO si su firma en el contrato aparece como el inquilino principal. No cuenta si el su-binquilino es un co-firmante en el contrato.

COMO COMENSAR UNA ACCION DE DESALOJO? (COSTO \$240.00)

Primero, debe darle al inquilino, por **escrito**, un "Aviso" que se tiene que mudar. El aviso puede ser de 3, 5, 30, 60 o 90 días. Diferentes avisos se usan en diferentes situaciones. Los avisos deben incluir cierto lenguaje e informacion. Los avisos no son formas de la corte y no los encontrará en el sitio web de auto-ayuda del estado. Puede consultar con un abogado para determinar cual aviso seria el mas apropiado para su situacion. Si el inquilino no se mueve al final del período de tiempo listado en el aviso, puede presentar una acción de retencion ilegal ante el tribunal.

QUE PASA SI NO PUEDO PAGAR LA CUOTA?

Una cuota es requerida para archivar una demanda de desalojo. Para determinar la cantidad de la cuota, se puede referir a la lista de tarifas disponible en el sitio web:

http://www.kern.courts.ca.gov/pdf/local_fee_schedule_07012014.pdf.

Si piensa que no puede pagar la cuota, refierase a la hoja de información en la forma sobre exención de tarifa (forma FW-001-INFO). Si cre que califica para un perdon de cuota, puede acompletar las formas FW-001 y FW-003. Entregue estos documentos cuando entrega su demanda.

COMO PUEDO OBTENER LAS FORMAS O RECIBIR MAS INFORMACION O AYUDA?

FORMAS	MÁS INFOMACIÓN	MÁS AYUDA
• Adjunto están las formas. • Puede obtener las formas con el departamto LTAC en el 1415 Truxtun Ave., 3er Piso, Bakersfield, CA 93301 • Puede obtener las formas en el sitio de la corte https://www.courts.ca.gov/forms.htm	Más información disponible: • CA Judicial Branch: http://www.courts.ca.gov/selfhelp-eviction.htm. • CA Department of Consumer Affairs: http://www.dca.ca.gov/publications/legal_guides/index.shtml.	Si el proceso es muy difícil o le está tomando mucho tiempo puede hacer lo siguiente: • Contrata un abogado que lo represente y llene las formas. • Contratar un asistente de desalojos (UDA) que le pueda llenar las formas. *Un UDA no puede darle consejos legales o representarlo en corte.*

PASOS PARA ARCHIVAR SU DEMANDA DE DESALOJO

Por favor lea estas instrucciones en detalle. Si tiene preguntas, póngase en contacto con LTAC.

□ **Paso 1:**
Completar las formas
incluidas (referir a la
muestra para mas
información.

- Civil Case Cover Sheet –CM-010
- Verification by Landlord UD-120
- Summons – SUM-130
- Complaint – UD-100

□ **Paso 2:** Agregue su
evidencia y otros
documentos

- Prueba 1: El acuerdo de alquiler – Si tiene un acuerdo por escrito, incluya el acuerdo a su demanda y en la parte de debajo de la primera página escriba "Exhibit 1".
 - Prueba 2: Aviso – Aviso al inquilino, incluya la copia del aviso a su demanda y en la parte de abajo del aviso escriba "Exhibit 2".
 - Prueba 3: Comprobante de servicio– El comprobante de servicio lo tendrá que llenar la persona que le entrego el aviso al inquilino. Incluya el comprobante de servicio a su demanda y en la parte de abajo del aviso escriba "Exhibit 3".
- Derecho de Posesión de Prejuicio – agregue la forma en blanco titulada "Prejudgment Claim of Right to Possession" solamente si incluye "Does 1 to 10" en su demanda.

□ **Paso 3:** Haga copia

- Haga una copia de todos sus documentos.

□ **Paso 4:** Archive
su demanda

- Entregue la original y copia de sus documentos incluyendo exhibiciones y adjuntos
- Si no está pidiendo un perdón de cuota, tendrá que pagar la cuota cuando archive su demanda.
- Si está pidiendo un perdón de cuota. Por favor comuníquese con la secretaria de la corte sobre su perdón de cuota.

□ **Paso 5:** Servicio
de la Demanda

Servicio: Es obligatorio hacer la entrega legal de la demanda a cada demandado listado en la demanda.

- "Servicio" es la entrega personal de la demanda, no por usted, debe ser por una parte tercera que tenga más de 18 años. Debe entregar una copia de la demanda a cada acusado nombrado en el caso. Puede pedirle a alguna amistad, familiar, u otra persona que haga el servicio de la demanda. También tiene la opción de contratar una agencia que se especializa en la entrega de documentos legales o el Alguacil del Condado de Kern para que entreguen la demanda a los demandados (costos adicionales podrían aplicar para las últimas dos opciones).

Después que la demanda se entregue a los demandados, un comprobante de servicio (la forma POS-010), la pagina 1 y 2 se tendrá que completar por la persona que entrego la demanda. La oficina de Alguacil prepara su propio comprobante.

- **Archive su comprobante con el Departamento Civil- Proof of Service (forma POS-010)**
- Si usted incluye a "DOES" en su demanda o hay personas desconocidas en la propiedad, a ellos también se les tendrá que entregar copia de la demanda. El servicio a los DOES y/o Ocupantes Desconocidos solo puede ser por una agencia que se especializa en la entrega de documentos legales o el Alguacil del Condado de Kern. Un comprobante de servicio con respecto a los DOES y/o Ocupantes Desconocidos también se tendrá que archivar con la corte.

NOTIFICACIÓN DE ORDEN PARA PRESENTARSE

- Cuando usted archive su demanda, la división Civil le enviara una notificación por correo. La notificación es un **Aviso para Aparecer y Mostrar Causa**, esta fecha NO ES SU FECHA DE JUICIO. En esta audiencia tendrá que explicarle a la corte por que su caso no debiera darse de baja. Esta audiencia es programada aproximadamente 3 meses después de que archive su demanda. En esta fecha la corte NO discutirá los méritos de su caso. Es para determinar si su caso debiera seguir abierto o si se debiera cerrar por no haberlo finalizado. Si usted finaliza su caso por medio de fallo(orden), usted mismo da su caso de baja, o una estipulación, la división Civil cancelara la audiencia y no tendrá que presentarse.

QUE SIGUE DESPUES?

- Después de que se le haga servicio de la demanda a el inquilino, el inquilino tendrá 10 días hábiles(no incluyendo fines de semana o días festivos) para contestar la demanda y archivarla en la corte. Los 10 días empiezan el día siguiente que el inquilino recibió la demanda.
- Si el inquilino **NO** presenta una Respuesta dentro de los 10 días, usted tendrá que presentar las formas por incomparecencia (quiere decir que tendrá que completar y archivar con la corte formas adicionales) para obtener una orden en su favor.
- Si el inquilino **SI** presenta una Respuesta tendrá que completar y archivar un Solicitud / Contra- Solicitud Para el Juicio (forma UD-150) para proceder a un juicio para que el juez decida sobre su caso. Después de que archive este formulario, la corte le enviara por correo a usted y el inquilino dos (2) avisos, sera para dos fechas separadas en las que tendrán que aparecer. Un aviso tendrá la fecha para el Juicio (Notice of Trial) y el segundo aviso tendrá la fecha para una conferencia de acuerdo obligatoria (Notice of Shriver Mandatory Settlement Conference).

COMO PUEDO HACER QUE EL INQUILINO SE SALGA DE LA PROPIEDAD?

- La única forma que puede legalmente obligar su inquilino mudarse, es solamente si gana su caso de desalojo. Si gana su caso de desalojo, obtendrá una orden para posesión de la propiedad (esto quiere decir que la corte ara una orden obligando al inquilino desalojar y regreseandole a usted posesión de la propiedad). El aguacil podrá enforzar la orden de la corte, obligando a los inquilinos desalojar la propiedad. Es contra la ley cortar los servicios de luz y/o agua, cambiar las chapas, o retirar las pertenencias de los inquilinos para obligarlos que se vayan.

QUE MAS DEBO SABER?

- Los casos de UD (desalojo) tienen requisitos muy estrictos para el propietario. Considere que el mas minimo error puede causar que pierda su caso y tenga que empezar de nuevo. Esto puede hacer que su caso se tarde varios meses en terminar. Considere contratar a un abogado con experiencia en procedimientos de desalojo para que su caso se finalice lo más rápido posible .
- PREPARESE PARA SU JUICIO: Si el inquilino responde, debiera prepararse para presentar su caso en el juicio. Puede mirar un video de como prepararse para el juicio accessando el sitio web <https://kclawlib.org/videos/>
- Si tiene un caso inusual/complejo, tendrá que consultar con un abogado privado para consejo específico de cómo proceder con su caso. El Centro de autoayuda no podrá ayudarlo

1. Check **one** box below for the case type that best describes this case:

Auto Tort ☐ Auto (22) ☐ Uninsured motorist (46) Asbestos ☐ Asbestos (04) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort ☐ Product liability (24) ☐ Medical malpractice (45) ☐ Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort ☐ Business tort/unfair business practice (07) ☐ Civil rights (08) ☐ Defamation (13) ☐ Fraud (16) ☐ Intellectual property (19) ☐ Professional negligence (25) ☐ Other non-PI/PD/WD tort (35) Employment ☐ Wrongful termination (36) ☐ Other employment (15)	Contract ☐ Breach of contract/warranty (06) ☐ Rule 3.740 collections (09) ☐ Other collections (09) ☐ Insurance coverage (18) ☐ Other contract (37) Real Property ☐ Eminent domain/Inverse condemnation (14) ☐ Wrongful eviction (33) ☐ Other real property (26) Unlawful Detainer ☐ Commercial (31) ☒ Residential (32) ☐ Drugs (38) Judicial Review ☐ Asset forfeiture (05) ☐ Petition re: arbitration award (11) ☐ Writ of mandate (02) ☐ Other judicial review (39) Employment Development Department (EDD) ☐ EDD decision review (48)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) ☐ Antitrust/Trade regulation (03) ☐ Construction defect (10) ☐ Mass tort (40) ☐ Securities litigation (28) ☐ Environmental/Toxic tort (30) ☐ Comprehensive groundwater adjudication (47) ☐ Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment ☐ Enforcement of judgment (20) Miscellaneous Civil Complaint ☐ RICO (27) ☐ Other complaint (<i>not specified above</i>) (42) Miscellaneous Civil Petition ☐ Partnership and corporate governance (21) ☐ Other petition (<i>not specified above</i>) (43)
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2. Is this case complex under rule 3.400 of the California Rules of Court? ☐ Yes ☒ No
If the case is complex, mark the factors requiring exceptional judicial management:
- ☐ Large number of separately represented parties
 - ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 - ☐ Substantial amount of documentary evidence
 - ☐ Large number of witnesses
 - ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 - ☐ Substantial postjudgment judicial supervision
3. Remedies sought (*check all that apply*):
- ☐ monetary
 - ☒ nonmonetary; declaratory or injunctive relief
 - ☐ punitive
4. Number of causes of action (*specify*): **1**
5. Is this case a class action suit? ☐ Yes ☒ No
6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date: **FECHA****SU NOMBRE**

(TYPE OR PRINT NAME)

SU FIRMA

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 of the California Rules of Court or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on pages 1 and 2. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$35,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.



CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/
Wrongful Death
Uninsured Motorist (46) *(if the case involves
an uninsured motorist claim subject to
arbitration, check this item instead of Auto)*

Asbestos

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death

**Other PI/PD/WD (Personal Injury/
Property Damage/Wrongful Death) Tort**

Product Liability *(not asbestos or toxic/
environmental)* (24)
Medical Malpractice (45)
Medical Malpractice–Physicians &
Surgeons
Other Professional Health Care
Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g.,
assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest)
(not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice *(not
medical or legal)*
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract *(not
unlawful detainer or wrongful eviction)*
Contract/Warranty Breach–Seller Plaintiff
(not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book
accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage *(not provisionally
complex)* (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property *(not eminent
domain, landlord-tenant, or
foreclosure)*

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *(if the case involves illegal drugs,
check this item; otherwise, report as
Commercial or Residential)*

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case
Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor Commissioner
Appeals

Employment Development Department (EDD)

EDD Decision Review (48) *(if the case
involves an Employment Development
Department decision, check this item
instead of Wrongful Termination or Other
Employment)*

**Provisionally Complex Civil Litigation (Cal.
Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Comprehensive Groundwater Adjudication
(47)
Insurance Coverage Claims *(arising from
provisionally complex case type listed
above)* (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment *(non-domestic
relations)*
Sister-State Judgment
Administrative Agency Award *(not unpaid
taxes)*
Petition/Certification of Entry of Judgment
on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint *(not specified above)* (42)
Declaratory Relief Only Injunctive Relief
Only *(non-harassment)*
Mechanic's Lien
Other Commercial Complaint Case *(non-
tort/non-complex)*
Other Civil Complaint *(non-tort/non-
complex)*

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition *(not specified above)* (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: SU NOMBRE FIRM NAME: STREET ADDRESS: SU DOMICILIO COMPLETO CITY: STATE: ZIP CODE: TELEPHONE NO.: SU NUMERO DE TELEFONO FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name): IN PRO PER		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: DOMICILIO DE LA CORTE MAILING ADDRESS: EN DONDE ARCHIVARA SUS DOCUMENTOS CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: SU NOMBRE DEFENDANT: NOMBRE DEL DEMANDADO		
VERIFICATION BY LANDLORD REGARDING RENTAL ASSISTANCE—UNLAWFUL DETAINER		CASE NUMBER:

This form must be filed by the plaintiff with any request for default judgment in any unlawful detainer action seeking possession of residential property based on nonpayment of rent or any other financial obligation under a lease. It may also be used at other times as appropriate or when requested by a judicial officer.

1. The landlord of the property at issue in this case is (name): **SU NOMBRE**
2. All of the following statements are true:
 - a. Landlord has not received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
 - b. Landlord has not received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint in this action.
 - c. Landlord does not have any pending application for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
 - d. Landlord does not have any pending application for rental assistance or other financial compensation from any other sources for rent accruing after the date of the notice underlying the complaint in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **FECHA**

SU NOMBRE

(TYPE OR PRINT NAME)



SU FIRMA

(SIGNATURE)

(TITLE—provide if signing on behalf of corporation or other business entity)

SUMMONS—EVICTION
(CITACIÓN JUDICIAL—DESALOJO)

SUM-130

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

UNLAWFUL DETAINER / FORCIBLE DETAINER / FORCIBLE ENTRY

(RETENCIÓN ILÍCITA DE UN INMUEBLE / RETENCIÓN FORZOSA / ENTRADA FORZOSA)

NOTICE TO DEFENDANT: **NOMBRE DEL DEMANDADO**
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF: **SU NOMBRE**
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 10 days. You have 10 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

If this summons was served through the Secretary of State's Safe at Home address confidentiality program, you have 15 days from the date of service, not counting Saturdays and Sundays and other judicial holidays, to respond.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the Self-Help Guide to the California Courts (selfhelp.courts.ca.gov), your county law library, or the courthouse nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services website (www.lawhelpca.org), the Self-Help Guide to the California Courts (selfhelp.courts.ca.gov), or by contacting your local court or county bar association.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Usted ha sido demandado. Si no responde dentro de 10 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 10 DÍAS, sin contar sábado y domingo y otros días feriados del tribunal, para presentar una respuesta por escrito en este tribunal y hacer que se entregue una copia al demandante.

Si la presente citación le ha sido entregado a través del programa de dirección confidencial del Secretario del Estado Seguro en Casa, tiene 15 días después de la fecha de entrega, sin contar sábado y domingo y otros días feriados del tribunal, para responder.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en la Guía de Ayuda de las Cortes de California (selfhelp.courts.ca.gov/es), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presenta su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpca.org/es), en la Guía de Ayuda de las Cortes de California (selfhelp.courts.ca.gov/es), o poniéndose en contacto con la corte o el colegio de abogados local.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos con un gravamen sobre cualquier monto de \$10,000 ó más recibido mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER (número de caso):

DOMICILIO DE LA CORTE EN DONDE ARCHIVARA SUS DOCUMENTOS

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

SU NOMBRE
SU DOMICILIO COMPLETO
SU NUMERO DE TELEFONO



PLAINTIFF (Name): SU NOMBRE	CASE NUMBER:
DEFENDANT (Name): NOMBRE DEL DEMANDADO	

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 4 below.)

4. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:

DEJE #4 EN BLANCO

- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

Date: _____ Clerk, by _____, Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons (form POS-010).)

[SEAL]

5. NOTICE TO THE PERSON SERVED: You are served

- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as an occupant.
- d. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation).	☐ CCP 416.60 (minor).
☐ CCP 416.20 (defunct corporation).	☐ CCP 416.70 (conservatee).
☐ CCP 416.40 (association or partnership).	☐ CCP 416.90 (authorized person).
☐ CCP 415.46 (occupant).	☐ other (specify):
- e. ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: SU NOMBRE FIRM NAME: STREET ADDRESS: SU DOMICILIO COMPLETO CITY: STATE: ZIP CODE: TELEPHONE NO.: SU NUMERO DE TELEFONO FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name): IN PRO PER	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: MAILING ADDRESS: DOMICILIO DE LA CORTE EN DONDE ARCHIVARA SUS DOCUMENTOS CITY AND ZIP CODE: BRANCH NAME:	Seleccione esta opción si hay otros adultos viviendo en la propiedad, a los cuales no conoce el nombre y los quiere demandar. Los puede demandar como "Does" (Does 1-10 es la forma mas común de incluir a los desconocidos). Los tiene que incluir en la forma (SUM-130)
PLAINTIFF: SU NOMBRE DEFENDANT: NOMBRE DEL DEMANDADO ☐ DOES 1 TO ☒	
COMPLAINT—UNLAWFUL DETAINER* ☒ COMPLAINT ☐ AMENDED COMPLAINT (Amendment Number):	CASE NUMBER:
Jurisdiction (check all that apply): ☒ ACTION IS A LIMITED CIVIL CASE (amount demanded does not exceed \$35,000) Amount demanded ☐ does not exceed \$10,000 ☐ exceeds \$10,000 Escoja una opción ☐ ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$35,000) ☐ ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply): ☐ from unlawful detainer to general unlimited civil (possession not in issue). ☐ from limited to unlimited. ☐ from unlawful detainer to general limited civil (possession not in issue). ☐ from unlimited to limited.	

1. PLAINTIFF (name each):

SU NOMBRE

alleges causes of action against DEFENDANT (name each):

NOMBRE DEL DEMANDADO

2. a. Plaintiff is
- | | |
|--|---|
| (1) ☐ an individual over the age of 18 years. | (4) ☐ a partnership. |
| (2) ☐ a public agency. | (5) ☐ a corporation. |
| (3) ☐ other (specify): | |
- Escoja una opción
-

- b. ☐ Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (specify):

3. a. The venue is the court named above because defendant named above is in possession of the premises located at (street address, apartment number, city, zip code, and county):

DOMICILIO DE LA PROPIEDAD COMPLETA, INCLUYA EL CONDADO

- b. The premises in 3a are (check one)

- (1) ☐ within the city limits of (name of city):
- (2) ☐ within the unincorporated area of (name of county):

ESCOJA UNA OPCION

- c. The premises in 3a were constructed in (approximate year): **AÑO QUE SE CONSTRUYO LA PROPIEDAD**

4. Plaintiff's interest in the premises is ☐ as owner ☐ other (specify):

ES USTED EL DUEÑO O "OTRO" POR EJEMPLO EL MANEJADOR DE LA PROPIEDAD

5. The true names and capacities of defendants sued as Does are unknown to plaintiff.

*NOTE: Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).



PLAINTIFF: **SU NOMBRE**
 DEFENDANT: **EL NOMBRE DEL DEMANDADO**

CASE NUMBER:

6. a. On or about (date): **FECHA QUE HIZO EL ACUERDO (VERBAL O EN ESCRITO) CON EL INQUILINO**
 defendant (name each):

**INDIQUE LOS
TERMINOS DEL
ACUERDO**

NOMBRE DE CADA DEMANDADO

- (1) agreed to rent the premises as a ☐ month-to-month tenancy ☐ other tenancy (specify):
 → (2) agreed to pay rent of \$ _____ payable ☐ monthly ☐ other (specify frequency):
 → (3) agreed to pay rent on the ☐ first of the month ☐ other day (specify):
 → b. This ☐ written ☐ oral agreement was made with
 (1) ☐ plaintiff. (3) ☐ plaintiff's predecessor in interest.
 (2) ☐ plaintiff's agent. (4) ☐ Other (specify):
 c. ☐ The defendants not named in item 6a are
 (1) ☐ subtenants.
 (2) ☐ assignees.
 (3) ☐ Other (specify):
 d. ☐ The agreement was later changed as follows (specify):

**SI ESTA INCLUYENDO A PERSONAS
DESCONOCIDAS ("DOES") EN SU
DEMANDA Y NO ESTAN EN EL
ACUERDO DE RENTA, INDIQUE AQUI**

¿HA REALIZADO ALGÚN CAMBIO EN EL CONTRATO DE ARRENDAMIENTO?

- e. ☐ ~~A copy of the written agreement, including~~ **SI TIENE UN ACUERDO EN ESCRITO Y TIENE UNA COPIA, MARQUE
AQUI Y INCLUYALO A LA DEMANDA Y ETIQUETELO "EXHIBIT 1"**
 and labeled Exhibit 1. (Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)
 f. ☐ ~~(For residential property) A copy of the written agreement is not attached because (specify reason):~~
 (1) ☐ the written agreement is not in the possession of the
 (2) ☐ this action is solely for nonpayment of rent (Code C

**SI NO VA A INCLUIR UNA COPIA DEL CONTRATO DE
ARRENDAMIENTO: ELIJA UNA OPCIÓN.**

7. The tenancy described in item 6 (check 7a or 7b)

- a. ☐ is not subject to the Tenant Protection Act of 2019 (Civil Code, § 1946.2). The specific subpart supporting why tenancy is exempt is (specify):
 b. ☐ is subject to the Tenant Protection Act of 2019.

8. (Complete only if item 7b is checked. Check all applicable boxes.)

- a. ☐ The tenancy was terminated for at-fault just cause (Civil Code, § 1946.2)
 b. ☐ The tenancy was terminated for no-fault just cause (Civil Code, § 1946.2)

- (1) ☐ waived the payment of rent for the final month of the tenancy, before the rent came due, under section 1946.2(d)(2), in the amount of \$ _____
 (2) ☐ provided a direct payment of one month's rent under section 1946.2(d)(3), equaling \$ _____ to (name each defendant and amount given to each):

**MARQUE #7a. SI LA PROPIEDAD NO ES
SUJETA A EL T.P.A. Y ESPECIFIQUE QUE
PARTE DE LA LEY LO HACE NO SUJETA**

-O-

**MARQUE #7b. Y ESCOJA #8a O 8b. (SI
USTED ESCOJE 8b, TENDRA QUE ESCOGER
Y CONTESTAR 8b(1) O 8b(2).)**

- c. ☐ Because defendant failed to vacate, plaintiff is seeking to recover the total amount in 8b as damages in this action.

9. a. ☒ Defendant (name each):

NOMBRE DE CADA DEMANDADO

was served the following notice on the same date and in the same manner:

- (1) ☐ 3-day notice to pay rent or quit (6) ☐ 3-day notice to perform covenants or quit
 (2) ☐ 30-day notice to quit (not applicable if item 7b checked)
 (3) ☐ 60-day notice to quit (7) ☐ 3-day notice to quit under Civil Code, § 1946.2(c). Prior
 (4) ☐ 3-day notice to quit required notice to perform covenants served (date):
 (5) ☐ 30-day notice to vacate under the (8) ☐ Other (specify):
 federal CARES Act (15 U.S.C. § 9058(c))

**INDIQUE EL TIPO DE
AVISO QUE SE LE
ENTREGO AL INQUILINO**

PLAINTIFF: **SU NOMBRE**
 DEFENDANT: **NOMBRE DEL DEMANDADO**

CASE NUMBER:

9. b. (1) On (date): **FECHA QUE SE VENCIO EL AVISO** the period stated in the notice checked in 9a expired at the end of the day.
 (2) Defendants failed to comply with the requirements of the notice by that date.
 c. All facts stated in the notice are true.
 d. ☐ The notice included an election of forfeiture.
 e. ☐ A copy of the notice is attached and labeled Exhibit 2. (Required for residential property. See Code Civ. Proc., § 1166. When Civil Code, § 1946.2(c), applies and two notices are required, provide copies of both.)
 f. ☐ One or more defendants were served (1) with the prior required notice under Civil Code section 1946.2(c), (2) with a different notice, (3) on a different date, or (4) in a different manner, as stated in Attachment 10c. (Check item 10c and attach a statement providing the information required by items 9a–e and 10 for each defendant and notice.)

10. a. ☐ The notice in item 9a was served on the defendant by (check one):
 (1) ☐ By personally handing a copy to defendant or to a person of suitable age and discretion at defendant's residence or usual place of business.
 (2) ☐ By leaving a copy with (name or address) at defendant's residence or usual place of business.
 (3) ☐ By posting a copy on the premises AND giving a copy to a person for defendant on (date):
 (a) ☐ because defendant's residence or usual place of business was unoccupied OR
 (b) ☐ because no person of suitable age and discretion was available.
 (4) ☐ (Not for 3-day notice; see Civil Code section 1946, before using) By sending a copy by certified or registered mail addressed to defendant on (date):
 (5) ☐ (Not for residential tenancies; see Civil Code section 1953, before using) In the manner specified in a written commercial lease between the parties.

**DESCRIBA CÓMO
SE ENTREGÓ EL
AVISO AL
INQUILINO.
SELECCIONE
UNA OPCIÓN.**

- b. ☐ (Name):
 was served on behalf of all defendants who signed a joint written rental agreement.
 c. ☐ Information about service of notice on the defendants alleged in item 9f is stated in Attachment 10c.
 d. ☐ Proof of service of the notice in item 9a is attached and labeled Exhibit 2.
 11. ☐ **Statements regarding rental assistance** (Required in all actions based on a claim for rental assistance or financial obligation. Plaintiff must complete items 11a–d and, if later seeking a default judgment, will also need to file a Verification Regarding Rental Assistance—Unlawful Detainer (form UD-120).)

**SI SU DEMANDA SE BASA EN LA
FALTA DE PAGO: DEBE DE
COMPLETAR #11**

- a. Plaintiff ☐ has received ☐ has not received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint.
 b. Plaintiff ☐ has received ☐ has not received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint.
 c. Plaintiff ☐ has ☐ does not have any pending applications for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint.
 d. Plaintiff ☐ has ☐ does not have any pending applications for rental assistance or other financial compensation from any other source for rent accruing after the date on the notice underlying the complaint.

12. ☐ Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.

13. ☐ At the time the 3-day notice to pay rent or quit was served, the amount of rent due was \$

**SI SU DEMANDA SE BASA EN LA
FALTA DE PAGO: MARQUE Y
CONTESTE #13**

14. ☐ The fair rental value of the premises is \$ **RENTA MENSUAL ÷ 30 =** per day.

15. ☐ Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). (State specific facts supporting a claim up to \$600)

**SI USTED ESTA PIDIENDO
DAÑOS DE RETENCIÓN: MARQUE
#14 Y COMPLETE. PARA CALCULAR
TIENE QUE DIVIDIR LA RENTA
MENSUAL POR 30.**

PLAINTIFF: **SU NOMBRE**
 DEFENDANT: **NOMBRE DEL DEMANDADO**

CASE NUMBER:

16. ☐ A written agreement between the parties provides for attorney fees.
17. ☐ Defendant's tenancy is subject to the local rent control or eviction control ordinance of (*city or county, title of ordinance, and date of passage*):

Plaintiff has met all applicable requirements of the ordinances.

18. ☐ Other allegations are stated in Attachment 17.
19. Plaintiff accepts the jurisdictional limit, if any, of the court.

MARQUE CUALQUIER SOLICITUD QUE LE QUIERE HACER A LA CORTE

SI USTED DIO UN AVISO DE 60 DÍAS Y CUMPLIO CON LA SISTENCIA REUBICACIÓN Y QUIERE RECUPERAR ESA CANTIDAD, MARQUE #20f

20. PLAINTIFF REQUESTS

- a. possession of the premises.
 b. costs incurred in this proceeding:
 c. ☐ past-due rent of \$
 d. ☐ reasonable attorney fees.
 e. ☒ forfeiture of the agreement.

- f. ☐ damages in the amount of waived rent or relocation assistance as stated in item 8: \$
 g. ☐ damages at the rate stated in item 13 from
 date: **DÍA DESPUÉS QUE SE VENCIO EL AVISO (SI EL AVISO ES POR FALLA DE PAGO, NO INCLUYA LOS MESES QUE APARECEN EN SU AVISO)**
 for each day that defendants remain in possession through entry of judgment.
 h. ☐ statutory damages up to \$600 for the conduct alleged in item 14.
 i. ☐ other (*specify*):

SI DIO UN AVISO POR FALTA DE PAGO Y ESTA PIDENDO RENTA ATRASADA; MARQUE AQUI Y ESPECIFIQUE LA CANTIDAD QUE PUSO EN SU AVISO.

SI USTED ESTÁ PIDIENDO DAÑOS DE RETENCIÓN: MARQUE #20g Y COMPLETE

21. ☐ Pages attached (*specify number of pages*):

UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)

22. (*Complete in all cases.*) An unlawful detainer assistant ☒ did not ☐ did for compensation give advice or assistance with this form. (*If declarant has received **any** help or advice for pay from an unlawful detainer assistant, complete a–f.*)

- a. Assistant's name:
 b. Street address, city, and zip code:

- c. Telephone no.:
 d. County of registration:
 e. Registration no.:
 f. Expires on (*date*):

Date: **FECHA**

SU NOMBRE

(TYPE OR PRINT NAME)

SU FIRMA

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

VERIFICATION

(*Use a different verification form if the verification is by an attorney or for a corporation or partnership.*)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **FECHA**

SU NOMBRE

(TYPE OR PRINT NAME)

SU FIRMA

(SIGNATURE OF PLAINTIFF)

**EN LAS
SIGUIENTES
PÁGINAS
ENCONTRARÁ
LOS
FORMULARIOS
QUE DEBE
COMPLETAR.**

INT-300**Request for Interpreter (Civil)**

Clerk stamps date here when form is filed.

Fill out this form if you or a witness in your case needs an interpreter when you are in court.

See instructions on page 2 of this form for more information.

- 1 Your Information** (person requesting an interpreter). *If you have a lawyer, give your lawyer's information.*

Name: _____

State Bar No.: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

- 2 I am a party in this case** (check one item below):

☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☐ Other (describe): _____

- 3 I need an interpreter in the following language when I am in court:**

☐ español (Spanish) ☐ (Vietnamese) ☐ (Korean) ☐ (Mandarin)
☐ (Cantonese) ☐ (Farsi/Persian) ☐ (Russian) ☐ Tagalog (Tagalog)
☐ (Arabic) ☐ (Punjabi) ☐ Other: _____

Include town of origin, if you speak an indigenous language: _____

- 4 I have a witness who needs an interpreter for the following court date:**

(Complete a separate form for each witness.)

a. Date: _____ Time: _____

Department and judicial officer, if known: _____

☐ No date is set yet.

b. The witness needs an interpreter in (check one):

☐ The language marked above **OR**

☐ Other (enter the language the witness speaks): _____

Date: _____

_____
Signature of party or attorney

Your Name: _____

Case Number: _____

INSTRUCTIONS

- Court proceedings are in English. If a party or witness does not speak or understand English well, he or she may need an interpreter. The interpreter will allow him or her to testify, speak to the judge, and understand what others are saying in court. Certified and registered court interpreters are trained to interpret in court. If you need language help, you can ask the court to provide a court interpreter by filling out the first page of this form.
- You should complete this form if you or a witness in your case needs an interpreter. A witness is someone who provides information in court, under oath. You should complete a separate form for every witness who needs language help. Complete the first page and file it with the court. Check with your local court to find out how far in advance you must file a request for an interpreter. You can also find out when the court will answer your request.
- Courts try to provide an interpreter in every language and in every civil case. The court will provide you with a response to let you know if your request was granted. Sometimes, a court cannot provide an interpreter in every case.



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
CIVIL CASE COVER SHEET ☐ Unlimited (Amount demanded exceeds \$35,000)	☐ Limited (Amount demanded is \$35,000 or less)
Complex Case Designation ☐ Counter ☐ Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: JUDGE: DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort ☐ Auto (22) ☐ Uninsured motorist (46) Asbestos ☐ Asbestos (04) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort ☐ Product liability (24) ☐ Medical malpractice (45) ☐ Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort ☐ Business tort/unfair business practice (07) ☐ Civil rights (08) ☐ Defamation (13) ☐ Fraud (16) ☐ Intellectual property (19) ☐ Professional negligence (25) ☐ Other non-PI/PD/WD tort (35) Employment ☐ Wrongful termination (36) ☐ Other employment (15)	Contract ☐ Breach of contract/warranty (06) ☐ Rule 3.740 collections (09) ☐ Other collections (09) ☐ Insurance coverage (18) ☐ Other contract (37) Real Property ☐ Eminent domain/Inverse condemnation (14) ☐ Wrongful eviction (33) ☐ Other real property (26) Unlawful Detainer ☐ Commercial (31) ☐ Residential (32) ☐ Drugs (38) Judicial Review ☐ Asset forfeiture (05) ☐ Petition re: arbitration award (11) ☐ Writ of mandate (02) ☐ Other judicial review (39) Employment Development Department (EDD) ☐ EDD decision review (48)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) ☐ Antitrust/Trade regulation (03) ☐ Construction defect (10) ☐ Mass tort (40) ☐ Securities litigation (28) ☐ Environmental/Toxic tort (30) ☐ Comprehensive groundwater adjudication (47) ☐ Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment ☐ Enforcement of judgment (20) Miscellaneous Civil Complaint ☐ RICO (27) ☐ Other complaint (<i>not specified above</i>) (42) Miscellaneous Civil Petition ☐ Partnership and corporate governance (21) ☐ Other petition (<i>not specified above</i>) (43)
---	---	--



2. Is this case complex under rule 3.400 of the California Rules of Court? ☐ Yes ☐ No
If the case is complex, mark the factors requiring exceptional judicial management:
- ☐ Large number of separately represented parties
 - ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 - ☐ Substantial amount of documentary evidence
 - ☐ Large number of witnesses
 - ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 - ☐ Substantial postjudgment judicial supervision
3. Remedies sought (*check all that apply*):
- ☐ monetary
 - ☐ nonmonetary; declaratory or injunctive relief
 - ☐ punitive
4. Number of causes of action (*specify*):
5. Is this case a class action suit? ☐ Yes ☐ No
6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 of the California Rules of Court or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on pages 1 and 2. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$35,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.



CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/
Wrongful Death
Uninsured Motorist (46) *(if the case involves
an uninsured motorist claim subject to
arbitration, check this item instead of Auto)*

Asbestos

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death

**Other PI/PD/WD (Personal Injury/
Property Damage/Wrongful Death) Tort**

Product Liability *(not asbestos or toxic/
environmental)* (24)
Medical Malpractice (45)
Medical Malpractice–Physicians &
Surgeons
Other Professional Health Care
Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g.,
assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest)
(not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice *(not
medical or legal)*
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract *(not
unlawful detainer or wrongful eviction)*
Contract/Warranty Breach–Seller Plaintiff
(not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book
accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage *(not provisionally
complex)* (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property *(not eminent
domain, landlord-tenant, or
foreclosure)*

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *(if the case involves illegal drugs,
check this item; otherwise, report as
Commercial or Residential)*

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case
Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor Commissioner
Appeals

Employment Development Department (EDD)

EDD Decision Review (48) *(if the case
involves an Employment Development
Department decision, check this item
instead of Wrongful Termination or Other
Employment)*

**Provisionally Complex Civil Litigation (Cal.
Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Comprehensive Groundwater Adjudication
(47)
Insurance Coverage Claims *(arising from
provisionally complex case type listed
above)* (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment *(non-domestic
relations)*
Sister-State Judgment
Administrative Agency Award *(not unpaid
taxes)*
Petition/Certification of Entry of Judgment
on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint *(not specified above)* (42)
Declaratory Relief Only Injunctive Relief
Only *(non-harassment)*
Mechanic's Lien
Other Commercial Complaint Case *(non-
tort/non-complex)*
Other Civil Complaint *(non-tort/non-
complex)*

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition *(not specified above)* (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
VERIFICATION BY LANDLORD REGARDING RENTAL ASSISTANCE—UNLAWFUL DETAINER	CASE NUMBER:

This form must be filed by the plaintiff with any request for default judgment in any unlawful detainer action seeking possession of residential property based on nonpayment of rent or any other financial obligation under a lease. It may also be used at other times as appropriate or when requested by a judicial officer.

1. The landlord of the property at issue in this case is (name):
2. All of the following statements are true:
 - a. Landlord has not received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
 - b. Landlord has not received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint in this action.
 - c. Landlord does not have any pending application for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
 - d. Landlord does not have any pending application for rental assistance or other financial compensation from any other sources for rent accruing after the date of the notice underlying the complaint in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME)



(SIGNATURE)

(TITLE—provide if signing on behalf of corporation or other business entity)

SUMMONS—EVICTION
(CITACIÓN JUDICIAL—DESALOJO)

SUM-130

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

UNLAWFUL DETAINER / FORCIBLE DETAINER / FORCIBLE ENTRY

(RETENCIÓN ILÍCITA DE UN INMUEBLE / RETENCIÓN FORZOSA / ENTRADA FORZOSA)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 10 days. You have 10 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

If this summons was served through the Secretary of State's Safe at Home address confidentiality program, you have 15 days from the date of service, not counting Saturdays and Sundays and other judicial holidays, to respond.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the Self-Help Guide to the California Courts (selfhelp.courts.ca.gov), your county law library, or the courthouse nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services website (www.lawhelpca.org), the Self-Help Guide to the California Courts (selfhelp.courts.ca.gov), or by contacting your local court or county bar association.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Usted ha sido demandado. Si no responde dentro de 10 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 10 DÍAS, sin contar sábado y domingo y otros días feriados del tribunal, para presentar una respuesta por escrito en este tribunal y hacer que se entregue una copia al demandante.

Si la presente citación le ha sido entregado a través del programa de dirección confidencial del Secretario del Estado Seguro en Casa, tiene 15 días después de la fecha de entrega, sin contar sábado y domingo y otros días feriados del tribunal, para responder.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en la Guía de Ayuda de las Cortes de California (selfhelp.courts.ca.gov/es), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presenta su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpca.org/es), en la Guía de Ayuda de las Cortes de California (selfhelp.courts.ca.gov/es), o poniéndose en contacto con la corte o el colegio de abogados local.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos con un gravamen sobre cualquier monto de \$10,000 ó más recibido mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER (número de caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):



PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415) ☐ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 4 below.)

4. **Unlawful detainer assistant** (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:

- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

Date: _____ Clerk, by _____, Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons (form POS-010).)

[SEAL]

5. **NOTICE TO THE PERSON SERVED:** You are served

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as an occupant.
- d. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation).	☐ CCP 416.60 (minor).
☐ CCP 416.20 (defunct corporation).	☐ CCP 416.70 (conservatee).
☐ CCP 416.40 (association or partnership).	☐ CCP 416.90 (authorized person).
☐ CCP 415.46 (occupant).	☐ other (specify):
- e. ☐ by personal delivery on (date):

alleges causes of action against DEFENDANT (name each):

- *NOTE:** Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).

PLAINTIFF:
DEFENDANT:

CASE NUMBER:

6. a. On or about *(date)*:
defendant (name each):

- (1) agreed to rent the premises as a ☐ month-to-month tenancy ☐ other tenancy *(specify)*:
(2) agreed to pay rent of \$ _____ payable ☐ monthly ☐ other *(specify frequency)*:
(3) agreed to pay rent on the ☐ first of the month ☐ other day *(specify)*:

- b. This ☐ written ☐ oral agreement was made with
(1) ☐ plaintiff. (3) ☐ plaintiff's predecessor in interest.
(2) ☐ plaintiff's agent. (4) ☐ Other *(specify)*:

- c. ☐ The defendants not named in item 6a are
(1) ☐ subtenants.
(2) ☐ assignees.
(3) ☐ Other *(specify)*:

- d. ☐ The agreement was later changed as follows *(specify)*:

- e. ☐ A copy of the written agreement, including any addenda or attachments that form the basis of this complaint, is attached and labeled Exhibit 1. *(Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)*

- f. ☐ *(For residential property)* A copy of the written agreement is **not** attached because *(specify reason)*:
(1) ☐ the written agreement is not in the possession of the landlord or the landlord's employees or agents.
(2) ☐ this action is solely for nonpayment of rent (Code Civ. Proc., § 1161(2)).

7. The tenancy described in item 6 *(check 7a or 7b)*

- a. ☐ is **not** subject to the Tenant Protection Act of 2019 (Civil Code, § 1946.2). The specific subpart supporting why tenancy is exempt is *(specify)*:
b. ☐ is subject to the Tenant Protection Act of 2019.

8. *(Complete only if item 7b is checked. Check all applicable boxes.)*

- a. ☐ The tenancy was terminated for at-fault just cause (Civil Code, § 1946.2(b)(1)).
b. ☐ The tenancy was terminated for no-fault just cause (Civil Code, § 1946.2(b)(2)) and the plaintiff *(check one)*
(1) ☐ waived the payment of rent for the final month of the tenancy, before the rent came due, under section 1946.2(d)(2), in the amount of \$ _____
(2) ☐ provided a direct payment of one month's rent under section 1946.2(d)(3), equaling \$ _____ to *(name each defendant and amount given to each)*:

- c. ☐ Because defendant failed to vacate, plaintiff is seeking to recover the total amount in 8b as damages in this action.

9. a. ☐ Defendant *(name each)*:

was served the following notice on the same date and in the same manner:

- (1) ☐ 3-day notice to pay rent or quit (6) ☐ 3-day notice to perform covenants or quit
(2) ☐ 30-day notice to quit *(not applicable if item 7b checked)*
(3) ☐ 60-day notice to quit (7) ☐ 3-day notice to quit under Civil Code, § 1946.2(c). Prior
(4) ☐ 3-day notice to quit required notice to perform covenants served *(date)*:
(5) ☐ 30-day notice to vacate under the (8) ☐ Other *(specify)*:
federal CARES Act (15 U.S.C. § 9058(c))

PLAINTIFF:
DEFENDANT:

CASE NUMBER:

9. b. (1) On (date): _____ the period stated in the notice checked in 9a expired at the end of the day.
(2) Defendants failed to comply with the requirements of the notice by that date.
- c. All facts stated in the notice are true.
- d. ☐ The notice included an election of forfeiture.
- e. ☐ A copy of the notice is attached and labeled Exhibit 2. *(Required for residential property. See Code Civ. Proc., § 1166. When Civil Code, § 1946.2(c), applies and two notices are required, provide copies of both.)*
- f. ☐ One or more defendants were served (1) with the prior required notice under Civil Code section 1946.2(c), (2) with a different notice, (3) on a different date, or (4) in a different manner, as stated in Attachment 10c. *(Check item 10c and attach a statement providing the information required by items 9a–e and 10 for each defendant and notice.)*
10. a. ☐ The notice in item 9a was served on the defendant named in item 9a as follows:
- (1) ☐ By personally handing a copy to defendant on (date): _____
- (2) ☐ By leaving a copy with (name or description): _____, a person of suitable age and discretion, on (date): _____ at defendant's
☐ residence ☐ business AND mailing a copy to defendant at defendant's place of residence on (date): _____ because defendant cannot be found at defendant's residence or usual place of business.
- (3) ☐ By posting a copy on the premises on (date): _____
☐ AND giving a copy to a person found residing at the premises AND mailing a copy to defendant at the premises on (date): _____
- (a) ☐ because defendant's residence and usual place of business cannot be ascertained OR
- (b) ☐ because no person of suitable age or discretion can be found there.
- (4) ☐ *(Not for 3-day notice; see Civil Code section 1946, before using)* By sending a copy by certified or registered mail addressed to defendant on (date): _____
- (5) ☐ *(Not for residential tenancies; see Civil Code section 1953, before using)* In the manner specified in a written commercial lease between the parties
- b. ☐ (Name): _____ was served on behalf of all defendants who signed a joint written rental agreement.
- c. ☐ Information about service of notice on the defendants alleged in item 9f is stated in Attachment 10c.
- d. ☐ Proof of service of the notice in item 9a is attached and labeled Exhibit 3.
11. ☐ **Statements regarding rental assistance** *(Required in all actions based on nonpayment of rent or any other financial obligation. Plaintiff must complete items 11a–d and, if later seeking a default judgment, will also need to file Verification Regarding Rental Assistance—Unlawful Detainer (form UD-120).)*
- a. Plaintiff ☐ has received ☐ has not received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint.
- b. Plaintiff ☐ has received ☐ has not received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint.
- c. Plaintiff ☐ has ☐ does not have any pending applications for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint.
- d. Plaintiff ☐ has ☐ does not have any pending applications for rental assistance or other financial compensation from any other source for rent accruing after the date on the notice underlying the complaint.
12. ☐ Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.
13. ☐ At the time the 3-day notice to pay rent or quit was served, the amount of **rent due** was \$ _____
14. ☐ The fair rental value of the premises is \$ _____ per day.
15. ☐ Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). *(State specific facts supporting a claim up to \$600 in Attachment 14.)*

PLAINTIFF:
DEFENDANT:

CASE NUMBER:

16. ☐ A written agreement between the parties provides for attorney fees.
17. ☐ Defendant's tenancy is subject to the local rent control or eviction control ordinance of (*city or county, title of ordinance, and date of passage*):

Plaintiff has met all applicable requirements of the ordinances.

18. ☐ Other allegations are stated in Attachment 17.
19. Plaintiff accepts the jurisdictional limit, if any, of the court.

20. PLAINTIFF REQUESTS

- | | |
|--|---|
| a. possession of the premises. | f. ☐ damages in the amount of waived rent or relocation assistance as stated in item 8: \$ |
| b. costs incurred in this proceeding: | g. ☐ damages at the rate stated in item 13 from |
| c. ☐ past-due rent of \$ | date: |
| d. ☐ reasonable attorney fees. | for each day that defendants remain in possession through entry of judgment. |
| e. ☐ forfeiture of the agreement. | h. ☐ statutory damages up to \$600 for the conduct alleged in item 14. |
| | i. ☐ other (<i>specify</i>): |

21. ☐ Pages attached (*specify number of pages*):

UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)

22. (*Complete in all cases.*) An unlawful detainer assistant ☐ did not ☐ did for compensation give advice or assistance with this form. (*If declarant has received **any** help or advice for pay from an unlawful detainer assistant, complete a–f.*)

- | | |
|--|--------------------------------|
| a. Assistant's name: | c. Telephone no.: |
| b. Street address, city, and zip code: | d. County of registration: |
| | e. Registration no.: |
| | f. Expires on (<i>date</i>): |

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

VERIFICATION

(*Use a different verification form if the verification is by an attorney or for a corporation or partnership.*)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF)

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form, you may be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. You must file this form within 10 days of the date of service listed in the box on the right hand side of this form.
 - **Exception:** If you are a tenant being evicted after your landlord lost the property to foreclosure, the 10-day deadline does not apply to you and you may file this form at any time before judgment is entered.
3. If you file this form, your claim will be determined in the eviction action against the persons named in the complaint.
4. If you do not file this form, you may be evicted without further hearing.
5. If you are a tenant being evicted due to foreclosure, you have additional rights and should seek legal advice immediately.

CLAIMANT OR CLAIMANT'S ATTORNEY (<i>Name and Address</i>):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (<i>Name</i>):			
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:			
Plaintiff: Defendant:			
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION			CASE NUMBER:
Complete this form only if ALL of these statements are true: 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the subject premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is in the accompanying Summons and Complaint.) 3. You still occupy the subject premises.			(To be completed by the process server) DATE OF SERVICE: (Date that form is served or delivered, posted, and mailed by the officer or process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (*specify*):
2. I reside at (*street address, unit no., city and ZIP code*):
3. The address of "the premises" subject to this claim is (*address*):
4. On (*insert date*): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (*This date is in the accompanying Summons and Complaint.*)
5. I occupied the premises on the date the complaint was filed (*the date in item 4*). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (*the date in item 4*).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (*the date in item 4*).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (*Filing fee*) I understand that I must go to the court and pay a filing fee of \$ or file with the court an "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file the form for waiver of court fees, I will not be entitled to make a claim of right to possession.

(Continued on reverse)

Plaintiff: Defendant:	CASE NUMBER:
--------------------------	--------------

11. If my landlord lost this property to foreclosure, I understand that I can file this form at any time before judgment is entered, and that I have additional rights and should seek legal advice.
12. I understand that I will have *five days* (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

NOTICE: If you fail to file this claim, you will be evicted without further hearing.

13. **Rental agreement.** I have (*check all that apply to you*):

- a. ☐ an oral or written rental agreement with the landlord.
- b. ☐ an oral or written rental agreement with a person other than the landlord.
- c. ☐ an oral or written rental agreement with the former owner who lost the property to foreclosure.
- d. ☐ other (*explain*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WARNING: Perjury is a felony punishable by imprisonment in the state prison.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF CLAIMANT)

NOTICE: If you file this claim to possession, the unlawful detainer action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

- NOTICE TO OCCUPANTS -

YOU MUST ACT AT ONCE if all the following are true:

1. You are **NOT** named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed.
3. You still occupy the premises.

You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the form) at the court where the unlawful detainer (eviction) complaint was filed. If you are a tenant and your landlord lost the property you occupy through foreclosure, this 10-day deadline does not apply to you. You may file this form at any time before judgment is entered. You should seek legal advice immediately.

If you do not complete and submit this form (and pay a filing fee or file a fee waiver form if you cannot pay the fee), YOU WILL BE EVICTED.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you may be evicted without a hearing.*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☐ Alternative Dispute Resolution (ADR) package
 - d. ☒ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): UD-120 Verification by Landlord Regarding Rental Assistance
3.
 - a. Party served (specify name of party as shown on documents served):
 - b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
5. I served the party (check proper box)
 - a. ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date) : _____ (2) at (time) :
 - b. ☐ **by substituted service.** On (date) : _____ at (time) : _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date) : _____ from (city) : _____ or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

5. c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on *(date)* : (2) from *(city)* :
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (*specify means of service and authorizing code section*):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (*specify*):
- c. ☐ as occupant.
- d. ☐ On behalf of (*specify*):
- under the following Code of Civil Procedure section:
- | | |
|---|---|
| ☐ 416.10 (corporation) | ☐ 415.95 (business organization, form unknown) |
| ☐ 416.20 (defunct corporation) | ☐ 416.60 (minor) |
| ☐ 416.30 (joint stock company/association) | ☐ 416.70 (ward or conservatee) |
| ☐ 416.40 (association or partnership) | ☐ 416.90 (authorized person) |
| ☐ 416.50 (public entity) | ☐ 415.46 (occupant) |
| | ☐ other: |

7. **Person who served papers**

- a. Name:
- b. Address:
- c. Telephone number:
- d. **The fee** for service was: \$
- e. I am:
- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.:
- (iii) County:

8. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)		(SIGNATURE)
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