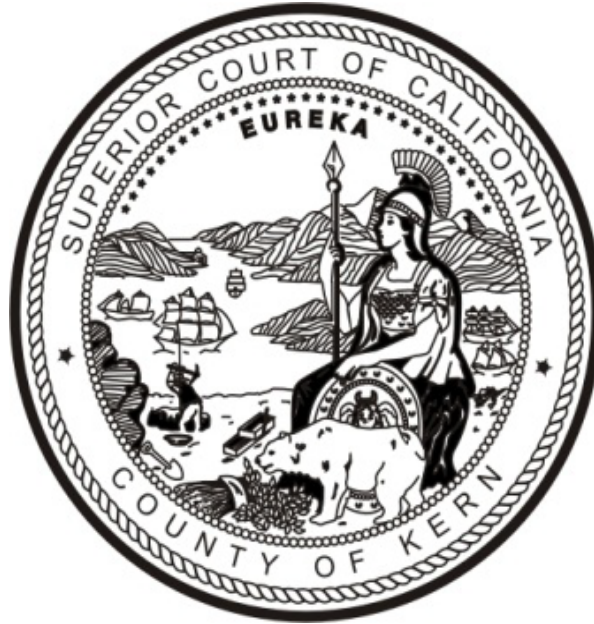


EVICTION PACKET

UNLAWFUL DETAINERS

SUPERIOR COURT OF CALIFORNIA COUNTY OF KERN



FORMS INCLUDED IN THIS PACKET	
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

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice or strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for legal advice from an attorney.

Landlord – Tenant Assistance Center

1415 Truxtun Avenue, 3rd Floor (inside the Law Library), Bakersfield, CA 93301
Walk-in hours: Monday-Thursday 8:00 a.m.- 2:00 p.m.(closed from 12:00 p.m.-1:00 p.m.) and Friday
8:00 a.m.-12:00p.m. Phone Number: (661) 610-6299 Email LTAC@Kern.Courts.Ca.Gov

Rev.
08/14/2026

PLEASE BE ADVISED THAT COURT EMPLOYEES MAY NOT GIVE LEGAL ADVICE. It is recommended that you seek legal advice or do your own legal research if you are not familiar with this legal process. Additional information is available on the Superior Court's website, www.kern.courts.ca.gov, and the Judicial Council's self-help website at <http://www.courts.ca.gov/selfhelp-housing.htm>

The **Landlord-Tenant Assistance Center** (LTAC) is located at 1415 Truxtun Ave., 3rd Floor, Bakersfield, CA 93301. LTAC is a Court pilot project between the Kern County Superior Court and **Greater Bakersfield Legal Assistance** (GBLA), and is funded by the Sargent Shriver Civil Counsel Act (GC\$68650). LTAC is designed to assist you in common landlord or tenant issues. In addition, you may seek information at the Kern County Law Library located on the 3rd floor at 1415 Truxtun Avenue, Bakersfield, CA 93301, by telephone at (661) 610-6325, or email at info@kclawlib.org

This information is intended as a procedural guide only. You may wish to seek an attorney's advice. Any errors in following the strict procedural requirements may result in having to start over again and may delay you in obtaining the eviction. If the tenant files an answer, you may have to represent yourself in a court or jury trial.

If you are evicting a lodger from the home you own and reside in, this may not be the procedure for you. You should seek legal advice as there may be a quicker and less costly method of eviction.

HOW CAN I START AN UNLAWFUL DETAINER ACTION?

First, you MUST serve the Tenant(s) **written** "Notice" that they need to move out. The Notice could be a 3, 5, 30, 60, or 90 Day notice. The circumstances surrounding why you want them to move out will dictate what notice you can give the Tenant(s). The Notices have certain language and information they must include. Notices are not court forms, you will not find them on the State's Self-Help website. You may consult with an attorney for the correct notice. If the tenant does not move out at the expiration of the notice, you can file a Unlawful Detainer (Eviction) action with the court.

FEES (Usually \$240.00 or \$385)

A fee is required to file an Unlawful Detainer Complaint. To determine the amount of the fee, refer to the current version of the Fee Schedule available on the Courts website at: <https://www.kern.courts.ca.gov/forms-filing/court-filing-fee-and-fee-schedules>

WHAT IF I CANNOT AFFORD THE COURT FEES?

If you cannot afford to pay the Court fees, refer to the Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO). If you believe that you may qualify for the fee waiver, according to the guidelines, complete the Request to Waive Court Fees (form FW-001) and Order on Court Fee Waiver (form FW-003), also known as a "fee waiver." Submit the fee waiver with your forms to the Court.

HOW CAN I GET THE FORMS OR MORE HELP AND INFORMATION?

FORMS	MORE INFO	MORE HELP
- Samples and Blankforms attached to this packet. - Online at the state's website, www.courts.ca.gov/forms They are PDF fillable forms.	More information is available: - CA Judicial Branch: https://selfhelp.courts.ca.gov/eviction-and-housing https://www.courts.ca.gov/documents/California-Tenants-Guide.pdf	<i>If the process proves to be too difficult or time consuming, you can do any of the following:</i> - Hire an attorney to represent you and/or fill out your forms. - Hire an Unlawful Detainer Assistant (UDA) to fill out your forms. *UDAs cannot give legal advice nor represent you in court.

STEPS TO FILE YOUR UNLAWFUL DETAINER FROMS

☐ **STEP 1:**
COMPLETE THE
FORMS
(A SAMPLE IS
INCLUDED IN
THIS PACKET)

FORMS	ACTIONS
• Civil Case Cover Sheet – CM-10	• Complete and sign <u>page 1</u> .
• Verification by Landlord UD-120	• Complete and sign <u>page 1</u> .
• Summons – SUM-130	• Complete page one and parts of <u>page 2</u> .
• Complaint – UD-100	• Complete all 4 pages and sign in two places on <u>page 4</u> .

☐ **STEP 2:**
EXHIBITS AND/OR
ATTACHMENTS

- **Exhibit 1:** Rental Agreement/Lease – If you have a written agreement, attach it to the Complaint and label it at the bottom, Exhibit 1.
- **Exhibit 2:** Notice – If you served a notice (for example 3-Day, 30-Day Notice, etc.), attach it to the Complaint and label it Exhibit 2.
- **Exhibit 3:** Proof of Service of Notice – A proof of service for the notice should be completed by the server, attach it to the Complaint and label it Exhibit 3.
- **Prejudgment Claim of Right to Possession** – attach a blank Prejudgment Right to Possession ONLY if you are including Does or unknown occupants in your Summons & Complaint

☐ **STEP 3:**
COPY

Make 1 copy of all your documents.

☐ **STEP 4:**
FILE THE EVICTION

- Turn in the original and the copy of the the forms including the Exhibit and/or attachments
- **If you ARE NOT asking for a fee waiver**, you will pay the filing fee at the time you submit your forms.
- **If you ARE asking for a fee waiver**, make sure that you also include the forms for the fee waiver, forms FW-001 and FW-003.
- After you drop off the forms, ask the Clerk when your stamped copies will be ready.

☐ **STEP 5:**
SERVE THE
EVICTION

- Service: You must “serve” the copy of lawsuit to the Defendant(s) in the case**
- **“Service”** means that someone, NOT YOU, who is at least 18 years old, must personally serve a copy of your forms to each named defendant. You can ask a friend, relative, etc. to serve these forms. You may also find and hire a “process server” to serve the papers or you may contact Kern County Sheriff’s Office to have them serve your forms (additional fees may apply with these options).
After the papers are personally served, the server (person who handed the forms) must complete page 1 and 2 of the Proof of Service of Summons, form POS-010. The Sheriff’s Office usually completes their own.
 - **You must file with the Civil Clerk the Proof of Service of Summons (form POS-010).**
 - If you have listed "DOES" in your eviction lawsuit or there are unknown occupants in the premises, they MUST also be served. Service to DOES and/or UNKNOWN OCCUPANTS can only be done by a process server or by a Sheriff. A Proof of Service of Summons as to the DOES and/or Unknown Occupants will need to be filed with the court also.

NOTICE OF ORDER TO APPEAR AND SHOW CAUSE

- Once the eviction has been filed, the Civil Division mails you a **Notice of Order to Appear and Show Cause**, IT IS NOT YOUR TRIAL DATE. You will explain to the court why your case should not be Dismissed. It is a hearing set approximately 3 months from the date of filing your complaint. The court will NOT discuss the merits of your case. It is to determine whether or not your case should remain open for lack of completion. If your case is finalized by way of a judgment, dismissal, or stipulation by then, the Civil Department will take this hearing off calendar and you will not have to appear.

What Happens Next?

- After you properly serve the paperwork, the tenant has 10 business days (not including weekends or judicial holidays) after service to serve you with a copy of their Answer and file it with the court clerk. Day 1 starts the day after the tenant is handed the forms.
- If the tenant **DOES NOT** file an Answer, you need to file additional forms finalize your case to default the tenant and get a judgment (order) in your favor.
- If the tenant **DOES** file an Answer, you need to file a Request/Counter Request to Set Case for Trial (UD-150). Once you file this form, you court will mail to you and the Tenant two (2) separate dates to appear. One date will be listed on the Notice of Trial and the second date will appear on the Notice of Shriver Mandatory Settlement Conference.

HOW CAN I MAKE THE TENANT MOVE OUT?

- The only way you can legally force your tenant to move out is to win your UD case. Then you can get a “Judgment” for possession (this means the court makes an order that the tenant has to move out and return the property to you). The Sheriff can enforce this Judgment by making the tenant move out. It is illegal to force your tenant to leave by cutting off their electricity, changing the locks and/or getting rid of the tenant’s personal property.

WHAT ELSE SHOULD I KNOW?

- Unlawful Detainer cases have very strict requirements for the landlord. Consider that even the smallest error can cause you to lose your case and have to start over completely. This can make your case take several months to finish. Consider hiring an attorney who is experienced with eviction procedures so that your case is completed as quickly as possible.
- PREPARE FOR YOUR TRIAL: If the Tenant answers, you should be preparing to present your case. You can watch a video on How to Present Your Case at Trial. Visit the following website <https://kclawlib.org/videos/>
- If you have an unusual/complex case, please see a private attorney for specific guidance on how to proceed with your case. The Landlord Tenant Assistance Center will not be able to help.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: PLAINTIFF(S) NAME FIRM NAME: STREET ADDRESS: YOUR ADDRESS CITY: YOUR CITY, STATE, ZIP STATE: ZIP CODE: TELEPHONE NO.: YOUR PHONE NUMBER 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: ADDRESS OF THE COURT WHERE CITY AND ZIP CODE: YOU WILL FILE YOUR DOCUMENTS BRANCH NAME:	
CASE NAME PLAINTIFF(S) LAST NAME VS. DEFENDANT(S) LAST 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 and examples on page 3).

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) ☐ Song-Beverly Act: Motor Vehicle Lemon Law (49) ☐ 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.)

YOU MAY ALSO CHECK THIS BOX IF REQUESTING MONEY

Date: **DATE**

PRINT PLAINTIFF(S) NAME

Type or print name

PLAINTIFF(S) SIGNATURE

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, or a collections case under rule 3.740, you must serve a copy of this cover sheet on all other parties to the action or proceeding. (Cal. Rules of Court, rule 3.220.)
- Unless this is a collections case under rule 3.740 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 on page 3 of this form. 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.

SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.



CASE TYPES AND EXAMPLES

The list below provides explanations and examples for the case type checkboxes listed in item 1 on this form. The lists of examples below are not meant to be exhaustive, and some case types may have causes of action not listed here.

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
environmental/toxic tort)* (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 *(other than contract)* (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice
(not medical)
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)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Song-Beverly Act: Motor Vehicle Lemon Law
*(check this item if the case involves a Song-
Beverly Act claim regarding a motor
vehicle)* (49)
Rule 3.740 Collections *(as defined in Cal.
Rules of Court, rule 3.740(a))* (09)
Other Collections (e.g., money owed, open
book accounts, promissory note) (09)
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 unlawful
detainer)*

Unlawful Detainer

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

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 *(if the case involves an
Employment Development Department
decision, check this item instead of
wrongful termination or other employment)*
(48)

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.404)

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
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
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 Government
Claim Requirement
Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: PLAINTIFF(S) NAME FIRM NAME: STREET ADDRESS: YOUR ADDRESS CITY: YOUR CITY STATE: STATE ZIP CODE: ZIP CODE TELEPHONE NO.: YOUR PHONE NUMBER 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: ADDRESS OF THE COURT WHERE YOU WILL FILE YOUR DOCUMENTS CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: PLAINTIFF(S) NAME DEFENDANT: DEFENDANT(S) NAME		
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): **PLAINTIFF(S) 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: **DATE SIGNED**

PRINT PLAINTIFF(S) NAME

(TYPE OR PRINT NAME)



PLAINTIFF(S) SIGNATURE

(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): **NAME OF DEFENDANT(S)**

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

NAME OF PLAINTIFF(S)

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):

ADDRESS OF THE COURT WHERE YOU WILL FILE YOUR DOCUMENTS

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(S) NAME

COMPLETE ADDRESS INCLUDING CITY, STATE, AND ZIP CODE

PHONE NUMBER



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

3. (Must be answered in all cases) An un **ANSWER #3** ant (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:

LEAVE #4 BLANK

d. County of registration:

e. Registration no.:

f. Registration expires on (date):

Type text here

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 416.20 (defunct corporation).

☐ CCP 416.40 (association or partnership).

☐ CCP 415.46 (occupant).

☐ CCP 416.60 (minor).

☐ CCP 416.70 (conservatee).

☐ CCP 416.90 (authorized person).

☐ other (specify):

e. ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: PLAINTIFF(S) NAME FIRM NAME: YOUR COMPLETE ADDRESS STREET ADDRESS: CITY: CITY, STATE, ZIP CODE STATE: ZIP CODE: TELEPHONE NO.: PHONE NUMBER 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: ADDRESS OF THE COURT WHERE YOU WILL FILE YOUR DOCUMENTS CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: PLAINTIFF(S) NAME DEFENDANT: DEFENDANT(S) NAME ☐ DOES 1 TO	
CHOOSE ONE 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 CHOOSE ONE ☐ exceeds \$10,000 ☐ 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): **PLAINTIFF(S) NAME**

alleges causes of action against DEFENDANT (name each):

DEFENDANT(S) NAME

2. a. Plaintiff is

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

CHOOSE ONE

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):

ADDRESS OF THE RENTAL PROPERTY: COMPLETE ADDRESS, INCLUDING COUNTY

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):

**CHOOSE ONE: IS THE PROPERTY
LOCATED WITHIN THE CITY OR AN
UNINCORPORATED AREA IN THE
COUNTY**

c. The premises in 3a were constructed in (approximate year): **YEAR PROPERTY WAS BUILT**

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

ANSWER #4

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: **PLAINTIFF(S) NAME**
 DEFENDANT: **DEFENDANT(S) NAME**

CASE NUMBER:

6. a. On or about (date): **DATE RENTAL AGREEMENT WAS MADE (CAN BE VERBAL OR WRITTEN)**
 defendant (name each):

TERMS OF THE AGREEMENT**NAME OF EACH DEFENDANT**

- (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):

**IF THERE ARE ADDITIONAL
ADULTS LIVING ON THE
PROPERTY AND NOT ON THE
AGREEMENT; MARK WHAT
THEY ARE**

**HAS THERE BEEN ANY CHANGES TO THE AGREEMENT,
SUCH AS RENT INCREASE, SPECIFY HERE.**

- e. ☐ A copy of the **IF YOU HAVE A WRITTEN AGREEMENT, MARK BOX AND ATTACH TO COMPLAINT AS EXHIBIT 1.** on the basis of this complaint, is attached and labeled E. (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 **IF YOU ARE NOT ATTACHING AN AGREEMENT, MARK BOX AND ANSWER (1) OR (2)**
 (2) ☐ this action is solely for nonpayment of rent.

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

- a. ☐ is not subject to the Tenant Protection Act (TPA). The specific subpart supporting why tenancy is exempt is (specify):
 b. ☐ is subject to the Tenant Protection Act (TPA). **MARK 7a IF THE PROPERTY IS EXEMPT FROM THE TPA AND STATE WHAT CODE IN THE LAW MAKES YOU EXEMPT -OR- MARK 7b AND ANSWER #8**

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

- a. ☐ **COMPLETE #8 ONLY IF YOU CHECKED 7b** 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): **NAME OF EACH DEFENDANT**

MARK THE TYPE OF NOTICE THAT WAS GIVEN TO THE TENANT

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: **PLAINTIFF(S) NAME**
 DEFENDANT: **DEFENDANT(S) NAME**

CASE NUMBER:

9. b. (1) On (date): **DATE NOTICE EXPIRED** 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 c **DESCRIBE HOW NOTICE WAS GIVEN. CHOOSE ONE OPTION** 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 _____ to defendant at the premises
 on (date):
☐ because defendant's residence and usual place of business cannot be ascertained OR
☐ 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 form UD-120.) **MUST COMPLETE #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 \$

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 section 1174(b). (State specific facts supporting a claim up to \$600 in Attachment 15.)

IF YOU ARE SUING FOR FAILURE TO PAY: MARK AND ANSWER #13

TO CALCULATE FAIR RENTAL VALUE: TAKE THE MONTHLY RENT DIVIDE BY 30

IF YOU REQUESTING HOLDOVER DAMAGES: MARK HERE AND COMPLETE #13

PLAINTIFF: PLAINTIFF(S) NAME	CASE NUMBER:
DEFENDANT: DEFENDANT(S) NAME	

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

18. ☐ Other allegations are stated in Attachment

19. Plaintiff accepts the jurisdictional limit, if any, of

**MARK ANY
REQUEST YOU
WANT TO MAKE TO
THE COURT.**

**IF YOU GAVE A 60 DAY NOTICE AND
COMPLIED WITH THE RELOCATION
ASSISTANCE AND WANT TO ASK TO
RECOVER THAT AMOUNT, COMPLETE #f**

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 as stated in item 8. \$
- g. ☒ Damages at the rate stated in item 14 from date: for each day that defendants remain in possession through
- h. ☐ Statutory damages up to \$600 for the conduct alleged
- i. ☐ Other (*specify*):

**IF YOU ARE
WANTING TO
COLLECT
HOLDOVER
DAMAGES.
*IF YOU SERVED A
3 DAY TO PAY OR
QUIT, DO NOT
INCLUDE MONTHS
LISTED ON YOUR
NOTICE.**

**IF YOU GAVE A NOTICE TO PAY OR QUIT
AND ARE ASKING FOR PAST-DUE RENT;
MARK #c AND STATE THE AMOUNT**

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

COMPLETE #22

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: **DATE**

PRINT PLAINTIFF(S) NAME

Type or Print Name

PLAINTIFF(S) SIGNATURE

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: **DATE**

PRINT PLAINTIFF(S) NAME

Type or Print Name

PLAINTIFF(S) SIGNATURE

Signature of Plaintiff

THE NEXT PAGES
ARE THE FORMS
YOU WILL NEED TO
COMPLETE

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 and examples on page 3).

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) ☐ Song-Beverly Act: Motor Vehicle Lemon Law (49) ☐ 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*):
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, or a collections case under rule 3.740, you must serve a copy of this cover sheet on all other parties to the action or proceeding. (Cal. Rules of Court, rule 3.220.)
- Unless this is a collections case under rule 3.740 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 on page 3 of this form. 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.

SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.



CASE TYPES AND EXAMPLES

The list below provides explanations and examples for the case type checkboxes listed in item 1 on this form. The lists of examples below are not meant to be exhaustive, and some case types may have causes of action not listed here.

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
environmental/toxic tort)* (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 *(other than contract)* (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice
(not medical)
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)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Song-Beverly Act: Motor Vehicle Lemon Law
*(check this item if the case involves a Song-
Beverly Act claim regarding a motor
vehicle)* (49)
Rule 3.740 Collections *(as defined in Cal.
Rules of Court, rule 3.740(a))* (09)
Other Collections (e.g., money owed, open
book accounts, promissory note) (09)
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 unlawful
detainer)*

Unlawful Detainer

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

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 *(if the case involves an
Employment Development Department
decision, check this item instead of
wrongful termination or other employment)*
(48)

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.404)

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
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
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 Government
Claim Requirement
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):

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: ☐ DOES 1 TO	
☐ COMPLAINT ☐ COMPLAINT—UNLAWFUL DETAINER* ☐ 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 ☐ ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$35,000) ☐ ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (<i>check all that apply</i>): ☐ 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):*

alleges causes of action against DEFENDANT (name each):

2. a. Plaintiff is

- (1) ☐ an individual over the age of 18 years.
- (2) ☐ a public agency.
- (3) ☐ other (*specify*):
- (4) ☐ a partnership.
- (5) ☐ a corporation.

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*):

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*):

c. The premises in 3a were constructed in (*approximate year*):

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

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:
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): _____
☐ because defendant's residence and usual place of business cannot be ascertained OR
☐ 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 15.)*



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 18.
19. Plaintiff accepts the jurisdictional limit, if any, of the court.

20. PLAINTIFF REQUESTS

- | | |
|--|---|
| <p>a. Possession of the premises.</p> <p>b. Costs incurred in this proceeding:</p> <p>c. ☐ Past-due rent of \$</p> <p>d. ☐ Reasonable attorney fees.</p> <p>e. ☐ Forfeiture of the agreement.</p> | <p>f. ☐ Damages in the amount of waived rent or relocation assistance as stated in item 8: \$</p> <p>g. ☐ Damages at the rate stated in item 14 from
date:
for each day that defendants remain in possession through entry of judgment.</p> <p>h. ☐ Statutory damages up to \$600 for the conduct alleged in item 15.</p> <p>i. ☐ Other (<i>specify</i>):</p> |
|--|---|

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.*)

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

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 (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):			
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)
---	--	-------------