Cost: $5.00

UNLAWFUL DETAINER PACKET FOR PLAINTIFF

Updated: October 5, 2020

UNLAWFUL DETAINER INFORMATION

In order to provide you with a basic understanding of the proper procedure to file an Unlawful Detainer action, please read the steps outlined below:

STEP 1 WRITTEN NOTICE TO QUIT: This MUST be served on the tenant. The Marshal may be utilized to serve the Notice, but someone other than the marshal may serve it. While there are alternative methods of service allowed by law, the Notice is generally served personally on the tenant.

STEP 2: LAWSUIT FILED: If the tenant refuses to move out under terms of the Notice, a Complaint – Unlawful Detainer (attached) must be filed in the proper Court for recovery of possession of the premises. *The Complaint sets forth the statement of facts constituting the causes of action and contains a demand or statement of the relief sought by the plaintiff.* A filing fee and a Civil Case Cover sheet are required upon filing the complaint. The amount of the filing fee varies depending on the amount of the demand. Unlawful Detainer fees are listed on the Court Fee Schedule and can be requested from the Court Services Department.

STEP 3: SERVICE OF SUMMONS: At the time the complaint is filed, the court will issue a Summons (attached and provided by the Plaintiff (Landlord) at the time the Complaint is filed). *The Summons is the instrument by which the Court acquires jurisdiction of the Defendant (tenant). It gives direction to the Defendant (tenant) that they must file with the Court a written response to the complaint within 5 days.* A copy of the Summons, Complaint and a blank Answer are personally served on the Defendant (tenant) by the Marshal, or anyone over the age of 18 and not a party to the action.

STEP 4: IF THE DEFENDANT (TENANT) FILES AN ANSWER (RESPONSE): The Defendant (tenant) has five days to file an answer with the Court after the Summons and Complaint is served to them. *The Answer is one means by which the Defendant (tenant) may respond to the Complaint. It is a formal written statement made by the Defendant (tenant) that sets forth the grounds for their defense.* Upon the Defendant (tenant) filing an Answer, the Plaintiff (Landlord) files a Request / Counter-Request to Set Case for Trial – Unlawful Detainer, form UD-150. The Court will set a date and time for trial and notify all parties by Minute Order.

STEP 5: IF THE DEFENDANT (TENANT) DOES NOT FILE AN ANSWER (RESPONSE): If the Defendant (tenant) HAS NOT filed an Answer to the Complaint within 5 days, the Plaintiff (Landlord) files a Declaration for Default Judgment by Court (attached). *The Default is a failure to plead or otherwise defend an action, by a party against whom a Judgment for affirmative relief is sought.*

STEP 6: OBTAINING THE JUDGMENT: *A Judgment is the determination or decision of a Court. **If a Defendant (tenant) loses in Court:* Plaintiff (Landlord) immediately submits the Judgment – Unlawful Detainer Form UD-110 (attached) for signature by the Judge and Clerk. If both the Plaintiff and Defendant stipulate (agree) to a Judgment, a Stipulation for Entry of Judgment UD-115 must be signed by both parties and the Judge.

***If the Defendant does not file an Answer to the Complaint:* Plaintiff (Landlord) submits the Judgment – Unlawful Detainer Form UD-110 (attached) to the Court with the appropriate box checked for signature by the Clerk.

STEP 7: ENFORCING THE JUDGMENT: After a Judgment has been rendered, a Writ of Execution for Possession of Real Property (attached) may be issued. *A Writ is an order issued from the Court requiring the performance of a specified act, or ordering to have it done.* This is the authority upon which forcible eviction of the Defendant (tenant) may be made. ONLY the Marshal or sheriff of the county shall enforce a Writ. If the Writ is brought to the Marshal for enforcement, the following is required:

A) (1) original and (7) copies of the Writ
B) Letter of Instruction (see Marshal's Office or Clerk's Office)
C) $145.00 Marshal's fee (Writ of Possession)

15 DAYS Custody of all personal property of the tenant remaining on the premises at the time of *forcible* eviction is temporarily given to the Plaintiff (Landlord) who must store it in a place of safekeeping. The tenant may redeem their personal property upon payment of reasonable costs of storage. If the landlord stores the personal property on the premises, the cost of storage shall be the fair rental value of the space reasonably required for such storage for the term of the storage. Claims of Exemption and Third Party Claims on the defendant's property cannot be filed with the Marshal.

(Updated 10/2020)

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*

TELEPHONE NO.: FAX NO. *(Optional):*

ATTORNEY FOR *(Name):*

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY

STREET ADDRESS: 11 Court Street

MAILING ADDRESS: PO Box 1258

CITY AND ZIP CODE: Weaverville, CA 96093

BRANCH NAME:

CASE NAME:

CASE NUMBER:

JUDGE:

DEPT.:

CIVIL CASE COVER SHEET

☐ **Unlimited** (Amount demanded exceeds $25,000)

☐ **Limited** (Amount demanded is $25,000)

Complex Case Designation

☐ Counter ☐ Joinder

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

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)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- ☐ Asbestos (04)
- ☐ 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)

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)
- ☐ 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 *(not specified above)* (42)

Miscellaneous Civil Petition
- ☐ Partnership and corporate governance (21)
- ☐ Other petition *(not specified above)* (43)

2. This case ☐ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   - a. ☐ Large number of separately represented parties
   - b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   - c. ☐ Substantial amount of documentary evidence
   - d. ☐ Large number of witnesses
   - e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   - f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply):* a. ☐ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action *(specify):*
5. This case ☐ is ☐ is not a class action suit.
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 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 page 1. 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 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than $25,000, 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)*

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/ Wrongful Death
- 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

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)
- 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)*
  - Mechanics 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 AN ATTORNEY (Name, State Bar number, and address): NAME: ADDRESS: CITY, STATE, ZIP: TELEPHONE NO: FAX NO. (Optional): EMAIL ADDRESS (Optional): ATTORNEY FOR (Name):	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY 11 Court St. PO Box 1258 Weaverville, CA 96093	
PLAINTIFF/PETITIONER: vs. DEFENDANT/RESPONDENT:	
UNLAWFUL DETAINER SUPPLEMENTAL COVER SHEET	CASE NUMBER:

1. This action seeks possession of real property that is:
    a. [ ] Residential
    b. [ ] Commercial
2. (Complete only if paragraph 1(a) is checked) This action is based, in whole or in part, on an alleged default in payment of rent or other charges.
    a. [ ] Yes
    b. [ ] No

Date: _____

_____ _____

Type or Print Name Signature

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR *(name)*:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
PLAINTIFF'S MANDATORY COVER SHEET AND SUPPLEMENTAL ALLEGATIONS—UNLAWFUL DETAINER	CASE NUMBER:

For action filed *(check one)*:

☐ before October 5, 2020

☐ on October 5, 2020, or later

A plaintiff filing a complaint for unlawful detainer, or requesting any court action in an unlawful detainer proceeding filed before October 5, 2020, must complete all sections of this form applicable to the action. Filing this form complies with the requirement in Code of Civil Procedure section 1179.01.5(c).

- *Serve this form with the summons.*
- *If a summons has already been served, then serve by mail or any other means of service authorized by law.*
- *If defendant has already answered, there is no requirement for defendant to respond to the supplemental allegations before trial.*

1. PLAINTIFF *(name each)*:

   alleges causes of action in the complaint filed in this action against DEFENDANT *(name each)*:

2. **Statutory cover sheet allegations** (Code Civ. Proc., § 1179.01.5(c))
   a. This action seeks possession of real property that is *(check all that apply)*: ☐ Residential ☐ Commercial
   (If "residential" is checked, complete items 3 and 4 and all remaining items that apply to this action. If only "commercial" is checked, no further items need to be completed except the signature and verification.)
   b. This action is based, in whole or in part, on an alleged default payment of rent or other charges. ☐ Yes ☐ No

3. **Tenants subject to COVID-19 Tenant Relief Act of 2020** (Code Civ. Proc., § 1179.02(h))
   a. (1) One or more defendants in this action is a natural person: ☐ Yes ☐ No
   (2) Identify any defendant not a natural person:
   (If no is checked, then no further items need to be completed except the signature and verification.)
   b. (1) All defendants named in this action maintain occupancy as described in Civil Code section 1940(b). ☐ Yes ☐ No
   (2) Identify any defendant who does not:
   (If yes is checked, then no further items need to be completed except the signature and verification.)

PLAINTIFF: DEFENDANT:	CASE NUMBER:

4. **Federal law allegations**

   a. *(Complete this item if action filed before December 31, 2020)* Defendant ☐ has ☐ has not provided a statement under penalty of perjury for the Centers for Disease Control and Prevention's order for *Temporary Halt in Evictions to Prevent Further Spread of COVID-19* (85 Federal Register 55292). *(Note to plaintiff: Proceeding in violation of the federal order may result in civil or criminal penalties.)*

   b. This action ☐ does ☐ does not seek possession of a dwelling unit in property that has a federally backed multifamily mortgage for which forbearance has been granted under title 15 United States Code section 9057.

      (1) Date forbearance began

      (2) Date forbearance ended

5. ☐ **Unlawful detainer notice expired before March 1, 2020**
   The unlawful detainer complaint in this action is based solely on a notice to quit, to pay or quit, or to perform covenants or quit, in which the time period specified in the notice expired before March 1, 2020. *(If this is the only basis for the action, no further items on this form need to be completed except the signature and verification on page 4. (Code Civ. Proc., § 1179.03.5(a)(1).))*

6. ☐ **Rent or other financial obligations due between March 1, 2020, and August 31, 2020 (protected time period)**
   The unlawful detainer complaint in this action is based, at least in part, on a demand for payment of rent or other financial obligations due in the protected time period. *(Check all that apply.)*

   a. ☐ Defendant *(name each):*

   was served the "Notice from the State of California" required by Code of Civil Procedure section 1179.04, and if more than one defendant, on the same date and in the same manner. *(Provide information regarding service of this notice in item 8 below.)*

   b. ☐ One or more defendants was served with the notice in item 6a on a different date or in a different manner, which service is described in attachment 8c.

   c. ☐ Defendant *(name each):*

   was served with at least 15 days' notice to pay rent or other financial obligations, quit, or deliver a declaration, and an unsigned declaration of COVID-19–related financial distress, in the form and with the content required in Code of Civil Procedure section 1179.03(b) and (d).

   *(If the notice identified defendant as a **high-income tenant** and requested submission of documentation supporting any declaration the defendant submits, complete item 9 below. (Code Civ. Proc., § 1179.02.5(c).))*

   (*If filing form UD-100 with this form and item 6c is checked, specify this 15-day notice in item 9a(7) on form UD-100, attach a copy of the notice to that complaint form, and provide all requested information about service on that form.)*

   d. Response to notice *(check all that apply):*

      (1) ☐ Defendant *(name each):*

      delivered a declaration of COVID-19–related financial distress on landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

      (2) ☐ Defendant *(name each):*

      did *not* deliver a declaration of COVID-19–related financial distress on landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

7. ☐ **Rent or other financial obligations due between September 1, 2020, and January 31, 2021 (the transition time period)**
   The unlawful detainer complaint in this action is based, at least in part, on a demand for payment of rent or other financial obligations due during the transition time period.

   a. ☐ Defendant *(name each):*

   was served the "Notice from the State of California" required by Code of Civil Procedure section 1179.04, and if more than one defendant, on the same date and in the same manner. *(Provide information regarding service of this notice in item 8 below.)*

PLAINTIFF: DEFENDANT:	CASE NUMBER:

7. b. ☐ One or more defendants was served with the notice in item 7a on a different date or in a different manner, which service is described in attachment 8c.

   c. ☐ Defendant *(name each):*

   was served with at least 15 days' notice to pay rent or other financial obligations, quit, or deliver a declaration, and an unsigned declaration of COVID-19-related financial distress, in the form and with the content required in Code of Civil Procedure section 1179.03(c) and (d).

   *(If the notice identified defendant as a **high-income tenant** and requested submission of documentation supporting any declaration the defendant submits, complete item 9 below. (Code Civ. Proc., § 1179.02.5(c).))*

   (*If filing form UD-100 with this form and item 6c is checked, specify this 15-day notice in item 9a(7) on form UD-100, attach a copy of the notice to that complaint form, and provide all requested information about service on that form.)*

   d. Response to notice *(check all that apply):*

   (1) ☐ Defendant *(name each):*

   delivered a declaration of COVID-19–related financial distress on the landlord in the time required. (Code Civ. Proc., § 1179.03(f).)

   (2) ☐ Defendant *(name each):*

   did *not* deliver a declaration of COVID-19–related financial distress on the landlord in the time required. (Code Civ. Proc., § 1179.03(f).))

   e. ☐ Rent due (*complete only if action filed after January 31, 2021):*

   (1) Rent in the amount of $ was due between September 1, 2020 and January 31, 2021.

   (2) Payment of $ for that period was received by January 31, 2021.

8. **Service of Code of Civil Procedure Section 1179.04 Notice From the State of California** *(check all that apply)*

   a. ☐ The notice identified in item 6a and 7a was served on the defendant named in those items 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.

   (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) ☐ By sending a copy by mail addressed to the defendant on *(date):*

   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 items 6b and 7b is stated in Attachment 8c.

   d. ☐ Proof of service of the notice or notices in items 6a, 6b, 7a, and 7b is attached to this form and labeled Exhibit 1.

9. ☐ **High-income tenant.** The 15-day notice in item 6c or 7c above identified defendant as a high-income tenant and requested submission of documentation supporting the tenant's claim that tenant had suffered COVID-19–related financial distress. Plaintiff had proof before serving that notice that the tenant has an annual income that is at least 130 percent of the median income for the county the rental property is located in and not less than $100,000. (Code Civ. Proc., § 1179.02.5.)

   a. ☐ The tenant did not deliver a declaration of COVID-19–related financial distress within the required time. (Code Civ. Proc., § 1179.03(f).)

   b. ☐ The tenant did not deliver documentation within the required time supporting that the tenant had suffered COVID-19–related financial distress as asserted in the declaration. (Code Civ. Proc., § 1179.02.5(c).)

PLAINTIFF: DEFENDANT:	CASE NUMBER:

10. ☐ **Just cause eviction**. (O*nly applicable if action is filed before February 1, 2021. Note: If the tenancy is subject to the Tenant Protection Act of 2019 (including Civil Code section 1946.2), plaintiff must, if using form UD-100, complete item 8 on that form in addition to this item.)*

a. ☐ The tenancy identified in the unlawful detainer complaint in this action was terminated for at-fault just cause as defined in Civil Code section 1946.2(b)(1), which reason is in the notice of termination. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(i).)

b. ☐ The tenancy identified in the unlawful detainer complaint in this action was terminated for no-fault just cause as defined in Civil Code section 1946.2(b)(2), which reason is in the notice of termination. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(ii).) *(Complete (1) or (2) below, only if applicable.*)

(1) ☐ The no-fault just cause is the intent to demolish or substantially remodel, which ☐ is ☐ is not necessary to comply with codes, statutes, or regulations relating to the habitability of the rental units. (Code Civ. Proc., § 1179.03.5(a)(3)(A)(ii).)

(2) ☐ The tenancy identified in the complaint in this action was terminated because the owner of the property has entered into a contract with a buyer who intends to occupy the property and the property ☐ does ☐ does not meets all the requirements of Civil Code section 1946.2(e)(8). (Code Civ. Proc., § 1179.03.5(a)(3)(A)(ii)(II).)

c. ☐ This action is based solely on the cause of termination checked in item 10a or b above, and is not for nonpayment of rent or other financial obligations. (*If this item applies, plaintiff may not recover any rental debt due from the period between March 1, 2020, and January 31, 2021, as part of the damages in this action.* (Code Civ. Proc., § 1179.03.5(a)(3)(B).))

11. ☐ **Rent or other financial obligations due after January 31, 2021.** (O*nly applicable if action is filed on or after February 1, 2021.*) The only demand for rent or other financial obligations on which the unlawful detainer complaint in this action is based is a demand for payment of rent due after January 31, 2021.

12. ☐ Number of pages attached *(specify):*

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)

ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:		
FIRM NAME:		
STREET ADDRESS:		
CITY:	STATE: ZIP CODE:	
TELEPHONE NO.:	FAX NO.:	
EMAIL ADDRESS:		
ATTORNEY FOR (*name*):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:		
PLAINTIFF: DEFENDANT: ☐ 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 $10,000.**
☐ **exceeds $10,000 but does not exceed $25,000.**

☐ **ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds $25,000)**

☐ **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):*

   alleges causes of action against DEFENDANT (name each):

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):*

   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, apt. no., 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 6 *(complete (a) or (b))*
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
(2) ☐ 30-day notice to quit
(3) ☐ 60-day notice to quit
(4) ☐ 3-day notice to quit
(5) ☐ 3-day notice to perform covenants or quit *(not applicable if item 7b checked)*
(6) ☐ 3-day notice to quit under Civil Code, § 1946.2(c) Prior required notice to perform covenants served *(date):* .
(7) ☐ Other *(specify):*

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

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

13. ☐ *The fair rental value of the premises is $* per day.

14. ☐ *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.)*

15. ☐ *A written agreement between the parties provides for attorney fees.*

16. ☐ *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.

17. ☐ *Other allegations are stated in Attachment 17.*

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

19. **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:* 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):*

20. ☐ Number of pages attached *(specify):*

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

21. ☐ *(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:

(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)

SUMMONS
(CITACIÓN JUDICIAL)
UNLAWFUL DETAINER—EVICTION
(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

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

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 5 days. You have 5 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. 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 California Courts Online Self-Help Center (*www.courts.ca.gov/selfhelp*), 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 California Courts Online Self-Help Center (*www.courts.ca.gov/selfhelp*), or by contacting your local court or county bar association.	*¡AVISO! Usted ha sido demandado. Si no responde dentro de 5 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 5 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.* *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 el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), 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.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados local.*
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.	***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 cantidad de $10,000 ó más recibida 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.*

CASE NUMBER *(número del caso):*

1. The name and address of the court is:
   (El nombre y dirección de la corte es):
   Superior Court of California, County of Trinity
   11 Court Street, PO Box 1258, Weaverville, CA 96093
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 6 on the next page.)*

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: *(Fecha)* Clerk, by *(Secretario)* , Deputy *(Adjunto)*

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citatión 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):*

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.: ATTORNEY FOR (*Name*):	***FOR COURT USE ONLY***
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 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 may 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: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR *(name)*: STATE BAR NUMBER:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
ANSWER—UNLAWFUL DETAINER	CASE NUMBER:

1. Defendant *(each defendant for whom this answer is filed must be named and must sign this answer unless his or her attorney signs):*

   answers the complaint as follows:

2. ***Check ONLY ONE of the next two boxes*:**
   a. ☐ Defendant generally denies each statement of the complaint and of the *Mandatory Cover Sheet and Supplemental Allegations—Unlawful Detainer* (form UD-101). *(Do not check this box if the complaint demands more than $1,000.)*
   b. ☐ Defendant admits that all of the statements of the complaint and of the *Mandatory Cover Sheet and Supplemental Allegations—Unlawful Detainer* (form UD-101) are true EXCEPT:
      (1) Defendant claims the following statements of the complaint are false (*state paragraph numbers from the complaint or explain below or, if more room needed, on form MC-025*): ☐ Explanation is on MC-025, titled as Attachment 2b(1).
      (2) Defendant has no information or belief that the following statements of the complaint are true, so defendant denies them *(state paragraph numbers from the complaint or explain below or, if more room needed, on form MC-025)*:
      ☐ Explanation is on MC-025, titled as Attachment 2b(2).
      (3) Defendant claims the following statements on the *Mandatory Cover Sheet and Supplemental Allegations—Unlawful Detainer* (form UD-101) are false (*state paragraph numbers from form UD-101 or explain below or, if more room needed, on form MC-025*): ☐ Explanation is on MC-025, titled as Attachment 2b(3).
      (4) Defendant has no information or belief that the following statements on the *Mandatory Cover Sheet and Supplemental Allegations—Unlawful Detainer* (form UD-101) are true, so defendant denies them *(state paragraph numbers from form UD-101 or explain below or, if more room needed, on form MC-025):*
      ☐ Explanation is on MC-025, titled as Attachment 2b(4).

CASE NUMBER:

3. AFFIRMATIVE DEFENSES (***NOTE:*** *For each box checked, you must state brief facts to support it in item 3o (page 3) or, if more room needed, on form MC-025.)*

a. ☐ *(Nonpayment of rent only)* Plaintiff has breached the warranty to provide habitable premises.

b. ☐ *(Nonpayment of rent only)* Defendant made needed repairs and properly deducted the cost from the rent, and plaintiff did not give proper credit.

c. ☐ *(Nonpayment of rent only)* On *(date):* before the notice to pay or quit expired, defendant offered the rent due but plaintiff would not accept it.

d. ☐ Plaintiff waived, changed, or canceled the notice to quit.

e. ☐ Plaintiff served defendant with the notice to quit or filed the complaint to retaliate against defendant.

f. ☐ By serving defendant with the notice to quit or filing the complaint, plaintiff is arbitrarily discriminating against the defendant in violation of the Constitution or the laws of the United States or California.

g. ☐ Plaintiff's demand for possession violates the local rent control or eviction control ordinance of *(city or county, title of ordinance, and date of passage)*:
(Also, briefly state in item 3o the facts showing violation of the ordinance.)

h. ☐ Plaintiff's demand for possession is subject to the Tenant Protection Act, Civil Code section 1946.2 or 1947.12, and is not in compliance with the act. *(Check all that apply and briefly state in item 30 the facts that support each.)*

(1) ☐ Plaintiff failed to state a just cause for termination of tenancy in the written notice to terminate.

(2) ☐ Plaintiff failed to provide an opportunity to cure any alleged violations of terms and conditions of the lease (other than payment of rent) as required under Civ. Code, § 1946.2(c).

(3) ☐ Plaintiff failed to comply with the relocation assistance requirements of Civ. Code, § 1946.2(d).

(4) ☐ Plaintiff has raised the rent more than the amount allowed under Civ. Code, § 1946.12, and the only unpaid rent is the unauthorized amount.

(5) ☐ Plaintiff violated the Tenant Protection Act in another manner that defeats the complaint.

i. ☐ Plaintiff accepted rent from defendant to cover a period of time after the date the notice to quit expired.

j. ☐ Plaintiff seeks to evict defendant based on an act against defendant or a member of defendant's household that constitutes domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or a dependent adult. *(This defense requires one of the following: (1)* ***a temporary restraining order, protective order, or police report*** *that is not more than 180 days old; OR (2)* ***a signed statement from a qualified third party*** *(e.g., a doctor, domestic violence or sexual assault counselor, human trafficking caseworker, or psychologist) concerning the injuries or abuse resulting from these acts.))*

k. ☐ Plaintiff seeks to evict defendant based on defendant or another person calling the police or emergency assistance (e.g., ambulance) by or on behalf of a victim of abuse, a victim of crime, or an individual in an emergency when defendant or the other person believed that assistance was necessary.

l. ☐ Plaintiff's demand for possession is in retaliation for nonpayment of rent or other financial obligations due between March 1, 2020, and January 31, 2021, even though it is alleged to be based on other reasons. (Civ. Code, § 1942.5(d).)

m. ☐ Plaintiff's demand for possession is based on nonpayment of rent or other financial obligations due between March 1, 2020, and January 31, 2021, and *(check all that apply)*:

(1) ☐ Plaintiff did not serve the required 15-day notice. (Code Civ. Proc., § 1179.03(b) or (c).)

(2) ☐ Plaintiff did not provide an unsigned declaration of COVID-19–related financial distress with the 15-day notice. (Code Civ. Proc., § 1179.03(b) or (c).)

(3) ☐ Plaintiff identified defendant as a “high-income tenant” in the 15-day notice, but plaintiff did not possess proof of income establishing that at the time the notice was served.

CASE NUMBER:

m. (4) ☐ Defendant provided the following declaration to plaintiff *(check all that apply and describe when and how provided)*:

(a) ☐ Declaration of COVID-19–related financial distress (Code Civ. Proc., § 1179.03(b) or (c))
(describe when and how delivered):

(b) ☐ Declaration under penalty of perjury for the Centers for Disease Control and Prevention's temporary halt in evictions to prevent further spread of COVID-19 (85 Federal Register at 55297)
(describe when and how provided):

(5) ☐ Defendant is currently filing or has already filed a declaration of COVID-19-related financial distress with the court. (Code Civ. Proc. § 1179.03(h).)

(6) ☐ Plaintiff violated the federal CARES Act because the property is covered by that act and

(a) ☐ The federally-backed mortgage on the property was in forbearance when plaintiff brought the action. (15 U.S.C. § 9057.)

(b) ☐ The plaintiff did not give the required 30 days' notice. (15 U.S.C. § 9058(c).)

(7) ☐ Plaintiff violated the COVID-19 Tenant Relief Act of 2020 (Code Civ. Proc., § 1179.01 et seq.) or a local COVID-19 –related ordinance regarding evictions in some other way *(briefly state facts describing this in item o).*

n. ☐ Other affirmative defenses are stated in item 3o.

o. *(Provide facts for each item checked above, either below, or, if more room needed, on form MC-025)*:
☐ Description of facts is on MC-025, titled as Attachment 3o.

4. OTHER STATEMENTS

a. ☐ Defendant vacated the premises on *(date)*:

b. ☐ The fair rental value of the premises alleged in the complaint is excessive *(explain below or, if more room needed, on form MC-025):*

CASE NUMBER:

4. b. ☐ Explanation is on MC-025, titled as Attachment 4b.

c. ☐ Other *(specify below or, if more room needed, on form MC-025 in attachment):*
☐ Other statements are on MC-025, titled as Attachment 4c.

5. DEFENDANT REQUESTS
   a. that plaintiff take nothing requested in the complaint.
   b. costs incurred in this proceeding.
   c. ☐ reasonable attorney fees.
   d. ☐ that plaintiff be ordered to (1) make repairs and correct the conditions that constitute a breach of the warranty to provide habitable premises and (2) reduce the monthly rent to a reasonable rental value until the conditions are corrected.
   e. ☐ Other *(specify below or on form MC-025):*
   ☐ All other requests are stated on MC-025, titled as Attachment 5e.

6. Number of pages attached: _____

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

7. *(Must be completed in all cases.)* An **unlawful detainer assistant** ☐ did not ☐ did for compensation give advice or assistance with this form. *(If defendant has received **any** help or advice for pay from an unlawful detainer assistant, state):*
   a. Assistant's Name: b. Telephone number:
   c. Street address, city, and zip code:
   d. County of registration: e. Registration number: f. Expiration date:

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless defendant's attorney signs.)

_____ (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)

_____ (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)

VERIFICATION

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

I am the defendant in this proceeding and have read this answer. 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 DEFENDANT)

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 TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 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):*
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: DEFENDANT/RESPONDENT:	CASE NUMBER:

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 Acknowledgement 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)
   ☐ 416.20 (defunct corporation)
   ☐ 416.30 (joint stock company/association)
   ☐ 416.40 (association or partnership)
   ☐ 416.50 (public entity)
   ☐ 415.95 (business organization, form unknown)
   ☐ 416.60 (minor)
   ☐ 416.70 (ward or conservatee)
   ☐ 416.90 (authorized person)
   ☐ 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) ☐ a registered California process server:
   ☐ 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)

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 TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
☐ **REQUEST** ☐ **COUNTER-REQUEST** **TO SET CASE FOR TRIAL—UNLAWFUL DETAINER** ☐ **Plaintiff** ☐ **Defendant**	CASE NUMBER:

1. ☐ **Plaintiff's request.** I represent to the court that all parties have been served with process and have appeared or have had a default or dismissal entered against them. I request that this case be set for trial.
2. **Trial preference.** The premises concerning this case are located at *(street address, apartment number, city, zip code, and county):*
   a. ☐ To the best of my knowledge, the right to possession of the premises is still in issue. This case is entitled to legal preference under Code of Civil Procedure section 1179a.
   b. ☐ To the best of my knowledge, the right to possession of the premises is no longer in issue. No defendant or other person is in possession of the premises.
3. **Jury or nonjury trial.** I request ☐ a jury trial ☐ a nonjury trial.
4. **Estimated length of trial.** I estimate that the trial will take *(check one):*
   a. ☐ days *(specify number):* b. ☐ hours *(specify if estimated trial is less than one day):*
5. **Trial date.** I am not available on the following dates *(specify dates and reasons for unavailability):*

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

6. *(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):*

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 PARTY OR ATTORNEY FOR PARTY)

NOTICE

- An unlawful detainer case must be set for trial on a date not later than **20 days after the first request** to set the case for trial is made (Code Civ. Proc., § 1170.5(a)).
- If a jury is requested, $150 must be deposited with the court 5 days before trial (Code Civ. Proc., § 631).
- Court reporter and interpreter services vary. Check with the court for availability of services and fees charged.
- If you cannot pay the court fees and costs, you may apply for a fee waiver. Ask the court clerk for a fee waiver form.

PLAINTIFF: DEFENDANT:	CASE NUMBER:

PROOF OF SERVICE BY MAIL

Instructions: *After having the parties served by mail with the* Request/Counter-Request to Set Case for Trial—Unlawful Detainer, *(form UD-150), have the person who mailed the form UD-150 complete this* Proof of Service by Mail. *An* ***unsigned*** *copy of the* Proof of Service by Mail *should be completed and served with form UD-150. Give the* Request/Counter-Request to Set Case for Trial —Unlawful Detainer *(form UD-150) and the completed* Proof of Service by Mail *to the clerk for filing. If you are representing yourself, someone else must mail these papers and sign the* Proof of Service by Mail.

1. I am over the age of 18 and **not a party to this case.** I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is *(specify):*
3. I served the *Request/Counter-Request to Set Case for Trial—Unlawful Detainer* (form UD-150) by enclosing a copy in an envelope addressed to each person whose name and address are shown below AND
   a. ☐ **depositing** the sealed envelope in the United States mail on the date and at the place shown in item 3c with the postage fully prepaid.
   b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 3c following ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
   c. (1) Date mailed:
      (2) Place mailed *(city and state):*

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 PERSON WHO MAILED *FORM UD-150*)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

	Name	Address *(number, street, city, and zip code)*
4.		
5.		
6.		
7.		
8.		
9.		

☐ List of names and addresses continued on a separate attachment or form MC-025, titled Attachment to Proof of Service by Mail.

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 TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF *(Name):* DEFENDANT *(Name):*	
DECLARATION FOR DEFAULT JUDGMENT BY COURT (Unlawful Detainer—Code Civil Proc., § 585(d))	CASE NUMBER:

1. My name is *(specify):*
   a. ☐ I am the plaintiff in this action.
   b. I am
      (1) ☐ an owner of the property (3) ☐ an agent of the owner
      (2) ☐ a manager of the property (4) ☐ other *(specify):*
2. *The property concerning this action is located at (street address, apartment number, city, and county):*
3. Personal knowledge. I personally know the facts stated in this declaration and, if sworn as a witness, could testify competently thereto. I am personally familiar with the rental or lease agreement, defendant's payment record, the condition of the property, and defendant's conduct.
4. Agreement was ☐ written ☐ oral as follows:
   a. On or about *(date):* defendant *(name each):* _____
      (1) agreed to rent the property for a ☐ month-to-month tenancy ☐ other tenancy *(specify):*
      (2) agreed to pay rent of $ payable ☐ monthly ☐ other *(specify frequency):*
      with rent due on the ☐ first of the month ☐ other day *(specify):*
   b. ☐ Original agreement is attached *(specify):* ☐ to the original complaint.
      ☐ to the *Application for Immediate Writ of Possession.* ☐ to this declaration, labeled Exhibit 4b.
   c. ☐ Copy of agreement with a declaration and order to admit the copy is attached *(specify):*
      ☐ to the *Application for Immediate Writ of Possession.* ☐ to this declaration, labeled Exhibit 4c.
5. ☐ Agreement changed.
   a. ☐ More than one change in rent amount (specify history of all rent changes and effective dates up to the last rent change) on Attachment 5a (form MC-025).
   b. ☐ Change in rent amount (specify last rent change). The rent was changed from $ to $, which became effective on *(date):* and was made
      (1) ☐ by agreement of the parties and subsequent payment of such rent.
      (2) ☐ by service on defendant of a notice of change in terms pursuant to Civil Code section 827 (check item 5d).
      (3) ☐ pursuant to a written agreement of the parties for change in terms (check item 5e or 5f).
   c. ☐ Change in rent due date. Rent was changed, payable in advance, due on (specify day):
   d. ☐ A copy of the notice of change in terms is attached to this declaration, labeled Exhibit 5d.
   e. ☐ Original agreement for change in terms is attached (specify): ☐ to the original complaint.
      ☐ to the Application for Immediate Writ of Possession. ☐ to this declaration, labeled Exhibit 5e.
   f. ☐ Copy of agreement for change in terms with a declaration and order to admit the copy is attached (specify):
      ☐ to the Application for Immediate Writ of Possession. ☐ to this declaration, labeled Exhibit 5f.

Form Approved for Optional Use
Judicial Council of California
UD–116 [Rev. July 1, 2003]

Code of Civil Procedure, § 585(d) www.courtinfo.ca.gov

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

6. Notice to quit.
   a. ☐ Defendant was served with a
      (1) ☐ 3-day notice to pay rent or quit
      (2) ☐ 3-day notice to perform covenants or quit
      (3) ☐ Other *(specify):*
      (4) ☐ 3-day notice to quit
      (5) ☐ 30-day notice to quit
      (6) ☐ 60-day notice to quit
   b. ☐ The 3-day notice to pay rent or quit demanded rent due in the amount of *(specify):* $ for the rental period beginning on *(date)* and ending on *(date)*
   c. ☐ The total rent demanded in the 3-day notice under item 6b is different from the agreed rent in item 4a(2) *(specify history of dates covered by the 3-day notice and any partial payments received to arrive at the balance) on Attachment 6c* (form MC-025).
   d. ☐ The original or copy of the notice specified in item 6a is attached to *(specify):* ☐ the original complaint.
      ☐ this declaration, labeled Exhibit 6d. *(The original or a copy of the notice MUST be attached to this declaration if not attached to the original complaint.)*
7. Service of notice.
   a. The notice was served on defendant *(name each):*
      (1) ☐ personally *on (date):*
      (2) ☐ by substituted service, including a copy mailed to the defendant *on (date):*
      (3) ☐ by posting and mailing on *(date mailed):*
   b. ☐ A prejudgment claim of right to possession was served on the occupants pursuant to Code of Civil Procedure section 415.46.
8. Proof of service of notice. The original or copy of the proof of service of the notice in item 6a is attached to *(specify):*
   a. ☐ the original complaint.
   b. ☐ this declaration, labeled Exhibit 8b.*(The original or copy of the proof of service MUST be attached to this declaration if not attached to the original complaint.)*
9. Notice expired. On *(date):* the notice in item 6 expired at the end of the day and defendant failed to comply with the requirements of the notice by that date. No money has been received and accepted after the notice expired.
10. The fair rental value of the property is $ per day, calculated as follows:
    a. ☐ (rent per month) x (0.03288) *(12 months divided by 365 days)*
    b. ☐ rent per month divided by 30
    c. ☐ other valuation *(specify):*
11. Possession. The defendant
    a. ☐ vacated the premises *on (date):*
    b. ☐ continues to occupy the property on *(date of this declaration):*
12. ☐ Holdover damages. Declarant has calculated the holdover damages as follows:
    a. Damages demanded in the complaint began on *(date):*
    b. Damages accrued through *(date specified in item 11):*
    c. Number of days that damages accrued *(count days using the dates in items 12a and 12b):*
    d. Total holdover damages *((daily rental value in item 10) x (number of days in item 12c)):* $
13. ☐ Reasonable attorney fees are authorized in the lease or rental agreement pursuant to paragraph *(specify):* and reasonable attorney fees for plaintiff's attorney *(name):* _____ are $
14. ☐ Court costs in this case, including the filing fee, are $

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

15. ☐ Declarant requests a judgment on behalf of plaintiff for:

a. ☐ A money judgment as follows:

(1) ☐ Past-due rent *(item 6b)*	$
(2) ☐ Holdover damages *(item 12d)*	$
(3) ☐ Attorney fees *(item 13)**	$
(4) ☐ Costs *(item 14)*	$
(5) ☐ Other *(specify)*: _____	$
(6) **TOTAL JUDGMENT**	$ _____

☐ * Attorney fees are to be paid by *(name)* only.

b. ☐ Possession of the premises in item 2 *(check only if a clerk's judgment for possession was **not** entered).*

c. ☐ Cancellation of the rental agreement. ☐ Forfeiture of the lease.

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 DECLARANT)

Summary of Exhibits

16. ☐ Exhibit 4b: Original rental agreement.

17. ☐ Exhibit 4c: Copy of rental agreement with declaration and order to admit the copy.

18. ☐ Exhibit 5d: Copy of notice of change in terms.

19. ☐ Exhibit 5e: Original agreement for change of terms.

20. ☐ Exhibit 5f: Copy of agreement for change in terms with declaration and order to admit copy.

21. ☐ Exhibit 6d: Original or copy of the notice to quit under item 6a *(MUST be attached to this declaration if it is not attached to original complaint).*

22. ☐ Exhibit 8b: Original or copy of proof of service of notice in item 6a *(MUST be attached to this declaration if it is not attached to original complaint).*

23. ☐ Other exhibits *(specify number and describe):*

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (*name*):	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
Plaintiff/Petitioner: Defendant/Respondent:	
REQUEST FOR (Application) ☐ **Entry of Default** ☐ **Clerk's Judgment** ☐ **Court Judgment**	CASE NUMBER:

Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.) *(see CIV-105)*

1. TO THE CLERK: On the complaint or cross-complaint filed
   a. on *(date):*
   b. by *(name):*
   c. ☐ Enter default of defendant *(names):*

   d. ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant *(names):*

   (Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)
   e. ☐ Enter clerk's judgment
      (1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)
         ☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The *Prejudgment Claim of Right to Possession* was served in compliance with Code of Civil Procedure section 415.46.
      (2) ☐ under Code of Civil Procedure section 585(a). *(Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)*
      (3) ☐ for default previously entered on *(date):*
2. **Judgment to be entered.**

	Amount	Credits acknowledged	Balance
a. Demand of complaint	$	$	$
b. Statement of damages*			
(1) Special	$	$	$
(2) General	$	$	$
c. Interest	$	$	$
d. Costs *(see reverse)*	$	$	$
e. Attorney fees	$	$	$
f. **TOTALS**	$	$	$

   g. **Daily damages** were demanded in complaint at the rate of: $ per day beginning *(date):*

   (Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)*
3. ☐ *(Check if filed in an unlawful detainer case.)* **Legal document assistant or unlawful detainer assistant** information is on the reverse *(complete item 4).*

Date:

(TYPE OR PRINT NAME) (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY
(1) ☐ Default entered as requested on *(date):*
(2) ☐ Default NOT entered as requested *(state reason):*
Clerk, by _____, Deputy

Form Adopted for Mandatory Use
Judicial Council of California CIV-100
[Rev. January 1, 2020]

REQUEST FOR ENTRY OF DEFAULT
(Application to Enter Default)

Code of Civil Procedure, §§ 585–587, 1169
www.courts.ca.gov

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant ☐ did ☐ did **not** or compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state:
   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):*

5. ☐ **Declaration under Code Civ. Proc., § 585.5** *(for entry of default under Code Civ. Proc., § 585(a)).* This action
   a. ☐ is ☐ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
   b. ☐ is ☐ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
   c. ☐ is ☐ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was
   a. ☐ **not mailed** to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney *(names):*
   b. ☐ **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:
      (1) Mailed on *(date):*
      (2) To *(specify names and addresses shown on the envelopes):*

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.
Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF DECLARANT)

7. **Memorandum of costs** *(required if money judgment requested).* Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
   a. Clerk's filing fees . . . . . $
   b. Process server's fees . . . . . $
   c. Other *(specify):* $
   d. $
   e. **TOTAL** . . . . . $ _____
   f. ☐ Costs and disbursements are waived.
   g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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 DECLARANT)

8. **Declaration of nonmilitary status** *(required for a judgment).* No defendant named in item 1c of the application is in the military service as that term is defined by either the Servicemembers Civil Relief Act, 50 U.S.C. App. § 3911(2), or California Military and Veterans Code sections 400 and 402(f).

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 DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, state bar number, and address):*	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional):* E-MAIL ADDRESS *(Optional):* ATTORNEY FOR *(Name):*	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
JUDGMENT—UNLAWFUL DETAINER ☐ **By Clerk** ☐ **By Default** ☐ **After Court Trial** ☐ **By Court** ☐ **Possession Only** ☐ **Defendant Did Not Appear at Trial**	CASE NUMBER:

JUDGMENT

1. ☐ **BY DEFAULT**
   a. Defendant was properly served with a copy of the summons and complaint.
   b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
   c. Defendant's default was entered by the clerk upon plaintiff's application.
   d. ☐ **Clerk's Judgment** (Code Civ. Proc., § 1169). For possession only of the premises described on page 2 (item 4).
   e. ☐ **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
      (1) ☐ plaintiff's testimony and other evidence.
      (2) ☐ plaintiff's or others' written declaration and evidence (Code Civ. Proc., § 585(d)).
2. ☐ **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
   a. The case was tried on *(date and time):*
      before *(name of judicial officer):*
   b. Appearances by:
      ☐ Plaintiff *(name each):*
      ☐ Plaintiff's attorney *(name each):*
      (1)
      (2)
      ☐ Continued on *Attachment* 2b (form MC-025).
      ☐ Defendant *(name each):*
      ☐ Defendant 's attorney *(name each):*
      (1)
      (2)
      ☐ Continued on *Attachment* 2b (form MC-025).
   c. ☐ Defendant did not appear at trial. Defendant was properly served with notice of trial.
   d. ☐ A statement of decision (Code Civ. Proc., § 632) ☐ was not ☐ was requested.

Form Approved for Optional Use
Judicial Council of California
UD-110 [New January 1, 2003]

Code of Civil Procedure, §§ 415.46, 585(d), 664.6, 1169

PLAINTIFF: DEFENDANT:	CASE NUMBER:

JUDGMENT IS ENTERED AS FOLLOWS BY: ☐ **THE COURT** ☐ **THE CLERK**

3. **Parties.** Judgment is
   a. ☐ for plaintiff *(name each):*

   and against defendant *(name each):*

   ☐ Continued on *Attachment* 3a (form MC-025).

   b. ☐ for defendant *(name each):*

4. ☐ Plaintiff ☐ Defendant is entitled to possession of the premises located at *(street address, apartment, city, and county):*

5. ☐ Judgment applies to all occupants of the premises including tenants, subtenants if any, and named claimants if any (Code Civ. Proc., §§ 715.010, 1169, and 1174.3).

6. **Amount and terms of judgment**

   a. ☐ Defendant named in item 3a above must pay plaintiff on the complaint:

(1) ☐ Past-due rent	$
(2) ☐ Holdover damages	$
(3) ☐ Attorney fees	$
(4) ☐ Costs	$
(5) ☐ Other *(specify):*	$
(6) **TOTAL JUDGMENT**	$

   b. ☐ Plaintiff is to receive nothing from defendant named in item 3b.

   ☐ Defendant named in item 3b is to recover costs: $

   ☐ and attorney fees: $

   c. ☐ The rental agreement is canceled. ☐ The lease is forfeited.

7. ☐ **Conditional judgment.** Plaintiff has breached the agreement to provide habitable premises to defendant as stated in *Judgment—Unlawful Detainer Attachment* (form UD–110S), which is attached.

8. ☐ Other *(specify):*

   ☐ Continued on *Attachment* 8 (form MC-025).

Date: ☐ _____
JUDICIAL OFFICER

Date: ☐ Clerk, by _____ , Deputy

(SEAL)

CLERK'S CERTIFICATE *(Optional)*

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by _____ , Deputy

PLAINTIFF: DEFENDANT:	CASE NUMBER:

JUDGMENT—UNLAWFUL DETAINER ATTACHMENT

7. ☐ **Conditional judgment.** Plaintiff breached the covenant to provide habitable premises to defendant.

a. ☐ Defendant must pay plaintiff a reduced rent because of the breach in the amount and for the period shown below. *(Specify each defect on a separate line, the month or months (or other period) that the defect existed, and the percentage or amount of the reduced rent as a result of the defect to arrive at the reasonable value of the premises for the period that the defect or defects existed.)*

Month defect existed	Defect	Reasonable rental value is reduced by *(specify percentage)* or *(specify amount)*	Reduced monthly rent due
(1)		% $ _____	$ _____
(2)		% $ _____	$ _____
(3)		% $ _____	$ _____
☐ Continued on *Attachment* 7a (form MC-025).			
		Total rent due in the 3-day notice is now *(specify):*	$ _____

b. ☐ Defendant is entitled to attorney fees *(specify):* $ and costs *(specify):* $

c. ☐ Defendant is the prevailing party if defendant pays plaintiff *(specify total rent in item 7a, less any attorney fees and costs in item 7b):* $ by p.m. on *(date):* *at (address):*

d. ☐ Judgment will be entered for defendant when defendant has complied with item 7c shown

☐ by defendant's filing of a declaration under penalty of perjury (see form MC-030), with proof of service on the plaintiff, OR

☐ at a hearing that has been set in this court as follows:

Date:	Time:	Dept.:	Room:

(1) ☐ Defendant must continue to pay rent after expiration of the 3-day notice if the defendant continues in possession of the premises in the amount of $ per month. The total rent at item 7a is the corrected amount under the 3-day notice.

(2) ☐ Plaintiff must repair the defects described in item 7a. The court retains jurisdiction over the case until those repairs are made. Rent remains reduced in the amount of *(specify monthly rent)* $ until the repairs are made.

(3) ☐ Rent will increase to *(specify monthly rent)* $ the day after

☐ plaintiff files a declaration under penalty of perjury (see form MC-030), with proof of service on the defendant, stating that all the repairs have been made OR ☐ it is established that all the repairs have been made at a hearing set in this court as follows:

Date:	Time:	Dept.:	Room:

e. ☐ Plaintiff is the prevailing party if defendant fails to comply with items 7c and 7d.

PLAINTIFF: DEFENDANT:	CASE NUMBER:

f. ☐ Judgment will be entered for plaintiff

☐ when plaintiff files a declaration under penalty of perjury (see form MC-030), with proof of service on the defendant, that the amount in item 7c has not been paid, OR

☐ at a hearing that has been set in the court as follows:

Date:	Time:	Dept.:	Room:

(1) ☐ Past-due rent *(item 7a)*	$ _____
(2) ☐ Holdover damages*	$ _____
(3) ☐ Attorney fees *(item 7b)*	$ _____
(4) ☐ Costs *(item 7b)*	$ _____
(5) ☐ Other *(specify):*	$ _____
(6) **TOTAL JUDGMENT**	$ _____

*Use one of the following formulas: From expiration of the 3-day notice to ☐ today's date ☐ date the premises were vacated *(specify number of days)* times

☐ *(specify reduced monthly rent $* *times 0.03228 (12 months divided by 365 days).)*

☐ *(specify reduced rent per month divided by 30): $*

= Total holdover damages

g. ☐ Plaintiff is awarded possession of the premises located at *(street address, apartment, city, and county):*

h. ☐ The rental agreement is canceled. ☐ The lease is forfeited.

8. ☐ **Other** *(specify):*

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address)*:	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional)*: E-MAIL ADDRESS *(Optional)*: ATTORNEY FOR *(Name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
NOTICE OF ENTRY OF JUDGMENT OR ORDER ***(Check one):*** ☐ **UNLIMITED CASE** (Amount demanded exceeded $25,000) ☐ **LIMITED CASE** (Amount demanded was $25,000 or less)	CASE NUMBER:

TO ALL PARTIES :

1. A judgment, decree, or order was entered in this action on *(date)*:

2. A copy of the judgment, decree, or order is attached to this notice.

Date: _____

_____ ▶ _____

(TYPE OR PRINT NAME ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY) (SIGNATURE)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:

PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF ENTRY OF JUDGMENT OR ORDER

(NOTE: You cannot serve the* Notice of Entry of Judgment or Order *if you are a party in the action. The person who served the notice must complete this proof of service.)

1. I am at least 18 years old and **not a party to this action.** I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify):*

2. I served a copy of the *Notice of Entry of Judgment or Order* by enclosing it in a sealed envelope with postage fully prepaid and *(check one):*
   a. ☐ deposited the sealed envelope with the United States Postal Service.
   b. ☐ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
3. The *Notice of Entry of Judgment or Order* was mailed:
   a. on *(date):*
   b. from *(city and state):*
4. The envelope was addressed and mailed as follows:
   a. Name of person served:
      Street address:
      City:
      State and zip code:
   b. Name of person served:
      Street address:
      City:
      State and zip code:
   c. Name of person served:
      Street address:
      City:
      State and zip code:
   d. Name of person served:
      Street address:
      City:
      State and zip code:

   ☐ Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*
5. Number of pages attached: _____

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 OF DECLARANT)

▶ _____ (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*): ☐ ATTORNEY FOR ☐ ORIGINAL JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
WRIT OF ☐ **EXECUTION (Money Judgment)** ☐ **POSSESSION OF** ☐ **Personal Property** ☐ **SALE** ☐ **Real Property**	☐ **Limited Civil Case** (including Small Claims) ☐ **Unlimited Civil Case** (including Family and Probate)

1. **To the Sheriff or Marshal of the County of:**
   You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
2. **To any registered process server:** You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.
3. (Name):
   is the ☐ original judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.
4. **Judgment debtor** *(name, type of legal entity if not a natural person, and last known address):*

   ☐ Additional judgment debtors on next page
5. **Judgment entered** on *(date):*
   (See type of judgment in item 22.)
6. ☐ Judgment renewed on *(dates):*
7. **Notice of sale** under this writ:
   a. ☐ has not been requested.
   b. ☐ has been requested *(see next page).*
8. ☐ Joint debtor information on next page.
9. ☐ Writ of Possession/Writ of Sale information on next page.
10. ☐ This writ is issued on a sister-state judgment.

For items 11–17, see form MC-012 and form MC-013-INFO.

11. Total judgment *(as entered or renewed)* $
12. Costs after judgment *(CCP 685.090)* $
13. Subtotal *(add 11 and 12)* $
14. Credits to principal *(after credit to interest)* $
15. Principal remaining due *(subtract 14 from 13)* $
16. Accrued interest remaining due per CCP 685.050(b) *(not on GC 6103.5 fees)* $
17. Fee for issuance of writ (*per GC 70626(a)(l)*) $
18. **Total amount due** *(add 15, 16, and 17)* $
19. **Levying officer:**
    a. Add daily interest from date of writ *(at the legal rate on 15) (not on GC 6103.5 fees)* . . . . . $
    b. Pay directly to court costs included in 11 and 17 *(GC 6103.5, 68637; CCP 699.520(j))* . . . . . $
20. ☐ The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

[SEAL]

Date: _____ Clerk, by _____, Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:

21. ☐ Additional judgment debtor(s) *(name, type of legal entity if not a natural person, and last known address):*

22. The judgment is for *(check one):*
    a. ☐ wages owed.
    b. ☐ child support or spousal support.
    c. ☐ other.

23. ☐ Notice of sale has been requested by *(name and address):*

24. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)
    a. *on (date):*
    b. name, type of legal entity if not a natural person, and last known address of joint debtor:

    a. *on (date):*
    b. name, type of legal entity if not a natural person, and last known address of joint debtor:

    c. ☐ Additional costs against certain joint debtors are itemized: ☐ below ☐ on Attachment 24c.

25. ☐ (Writ of Possession or Writ of Sale) **Judgment** was entered for the following:
    a. ☐ Possession of real property: The complaint was filed on *(date):*
    (Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)
    (1) ☐ The *Prejudgment Claim of Right to Possession* was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
    (2) ☐ The *Prejudgment Claim of Right to Possession* was NOT served in compliance with CCP 415.46.
    (3) ☐ The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a *Claim of Right to Possession* at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a *Prejudgment Claim of Right to Possession* was served.) *(See CCP 415.46 and 1174.3(a)(2).)*
    (4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the *Prejudgment Claim of Right to Possession* was not served in compliance with CCP 415.46 (item 25a(2)), answer the following:
    (a) The daily rental value on the date the complaint was filed was $
    (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates *(specify):*

Item 25 continued on next page

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:

25. b. ☐ Possession of personal property.

☐ If delivery cannot be had, then for the value *(itemize in 25e)* specified in the judgment or supplemental order.

c. ☐ Sale of personal property.

d. ☐ Sale of real property.

e. The property is described ☐ below ☐ on Attachment 25e.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name and state Bar number, and address)*:	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO. *(Optional)*: E-MAIL ADDRESS *(Optional)*: ATTORNEY FOR (*Name*):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
STIPULATION FOR ENTRY OF JUDGMENT (Unlawful Detainer)	CASE NUMBER:

1. IT IS STIPULATED by plaintiff *(name each)*: and defendant *(name each)*:

2. ☐ Plaintiff ☐ Defendant *(specify name)*: is awarded
   a. ☐ possession of the premises located at *(street address, apartment number, city, and county)*:
   b. ☐ cancellation of the rental agreement. ☐ forfeiture of the lease.
   c. ☐ past due rent $ _____
   d. ☐ total holdover damages $ _____
   e. ☐ attorney fees $ _____
   f. ☐ costs $ _____
   g. ☐ deposit of $ _____ ☐ See item 3.
   h. ☐ other *(specify)*:
   i. Total $ _____ to be paid by ☐ *(date)*: ☐ installment payments (see item 5)

3. ☐ Deposit. If not awarded under item 2g, then plaintiff must
   a. ☐ return deposit of $ _____ to defendant by *(date)*:
   b. ☐ give an itemized deposit statement to defendant within three weeks after defendant vacates the premises (Civ. Code, § 1950.5).
   c. ☐ mail the ☐ deposit ☐ itemized statement to the defendant at *(mailing address)*:

4. ☐ A writ of possession will issue immediately, but there will be no lockout before *(date)*:

5. ☐ AGREEMENT FOR INSTALLMENT PAYMENTS
   a. Defendant agrees to pay $ _____ *on the (specify day)* day of each month beginning *on (specify date)* until paid in full.
   b. If any payment is more than *(specify)* days late, the entire amount in item 2i will become immediately due and payable plus interest at the legal rate.

6. a. ☐ Judgment will be entered now.
   b. ☐ Judgment will be entered only upon default of payment of the amount in item 2i or the payment arrangement in item 5a. The case is calendared for dismissal on *(date and time)* in department *(specify)* unless plaintiff or defendant otherwise notifies the court.
   c. ☐ Judgment will be entered as stated in *Judgment—Unlawful Detainer Attachment* (form UD-110S), which is attached.
   d. ☐ Judgment will be entered as stated in item 7.

PLAINTIFF: DEFENDANT:	CASE NUMBER:

7. ☐ Plaintiff and defendant further stipulate as follows *(specify):*

8. a. **The parties named in item 1 understand that they have the right to (1) have an attorney present and (2) receive notice of and have a court hearing about any default in the terms of this stipulation.**

   b. Date: _____

_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF PLAINTIFF OR ATTORNEY)
_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF PLAINTIFF OR ATTORNEY)

☐ Continued on *Attachment* 8b (form MC-025).

   c. Date: _____

_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)
_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)
_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)

☐ Continued on *Attachment* 8c (form MC-025).

9. IT IS SO ORDERED.

Date:

_____
JUDICIAL OFFICER