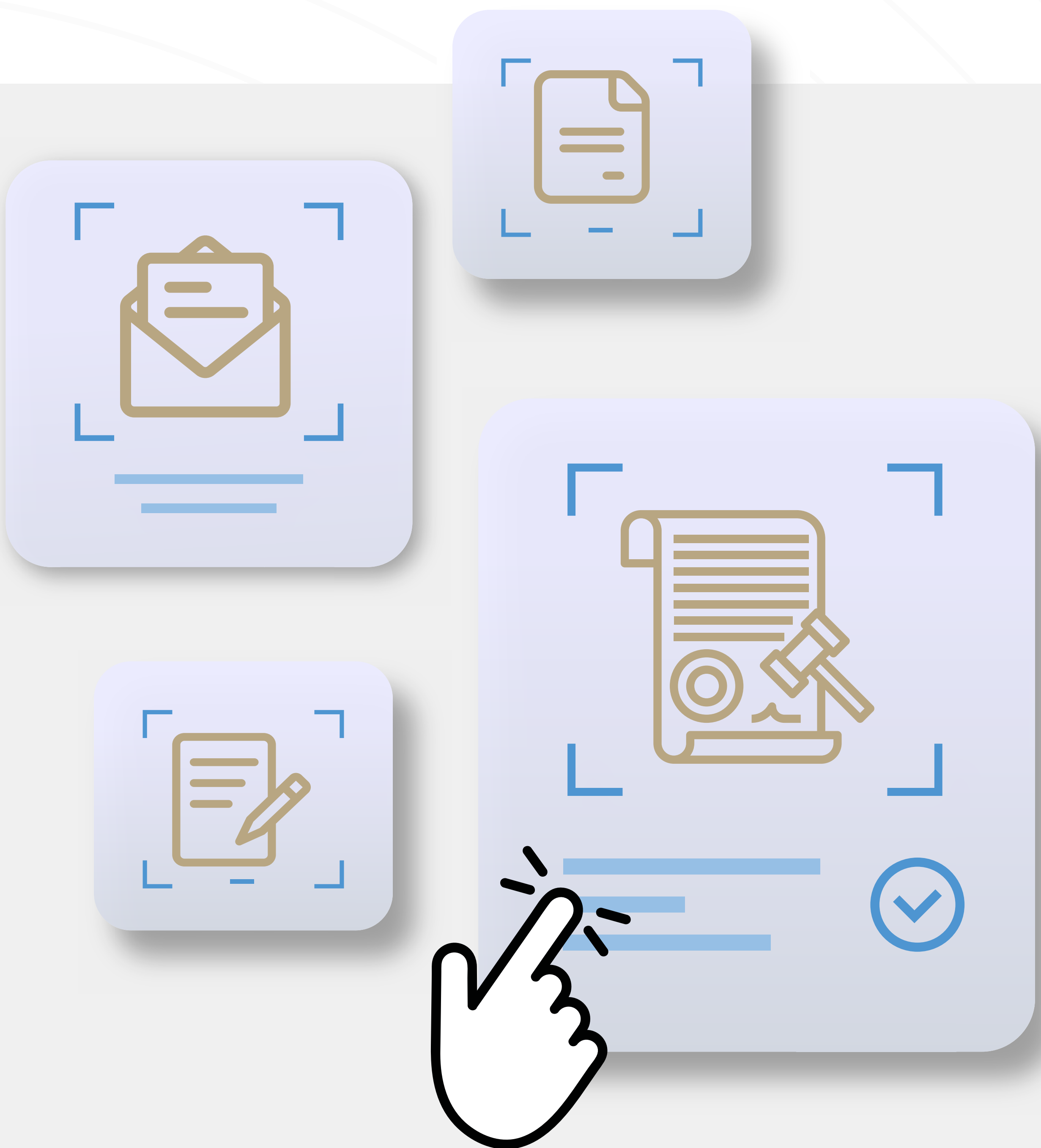


Resources for California Tenants Facing an Unlawful Detainer



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What Do You Need to Know?

Receiving an unlawful detainer—an eviction lawsuit—can be overwhelming and frightening. The thought of losing your home and navigating the legal process may leave you feeling uncertain and anxious.

At this difficult time, it's important to know that you have rights, and there are steps you can take to protect yourself.

This guide is here to help you understand what an unlawful detainer is, what your next steps should be, and where you can turn for support.

You don't have to face this challenge alone—there are resources and legal aid available to assist you through this process.



While Tenant Law Group does not offer Unlawful Detainer Defense Services, we believe in empowering all California renters with information. This page is a free resource for tenants navigating issues specifically related to unlawful detainers, including important steps, resources, and a list of legal aid organizations that can help you address the situation.



1 Read the Unlawful Detainer Carefully

Review the unlawful detainer paperwork thoroughly. It includes important information about why your landlord is seeking to evict you, any past due rent amounts, and your deadlines to respond.

2 Do Not Ignore the Lawsuit

- Failing to respond to the unlawful detainer can result in a default judgment, meaning the landlord automatically wins, and the tenant can be evicted.
- Deadline: Tenants typically have 5 calendar days (excluding court holidays) from the date they are served to file a formal response in court.



3

File a Written Response

Answer the Lawsuit: The most common response is filing an Answer to the unlawful detainer. This legal document allows you to defend yourself against the eviction. In it, you can raise defenses such as landlord harassment, improper notice, uninhabitable living conditions, retaliation, or discrimination.

Form to Use: [Answer—Unlawful Detainer \(Form UD-105\)](#).

If you have legal defenses, filing an answer gives you an opportunity to present them in court.

Filing Fee: There is a fee to file an answer, but you can request a fee waiver if you cannot afford it by filing [Fee Waiver Request \(Form FW-001\)](#).

4

Consider Mediation

In some cases, landlords and tenants can resolve disputes through mediation instead of going to trial. Mediation services are often available through local legal aid organizations or court-sponsored dispute resolution programs.



5

Gather Evidence

Collect any documentation that can support your case. This could include:

- **Rent Receipts:** Proof of rent payment if the eviction is due to non-payment.
- **Photos/Videos:** Document any habitability issues like mold or pests if these are reasons for your defense.
- **Communications:** Keep copies of texts, emails, or letters with your landlord.
- **Witnesses:** If neighbors or repair professionals can attest to the conditions of your rental, ask them to testify.



6 Consult an Attorney or Legal Aid

- It is advisable to seek legal assistance. Many legal aid organizations offer free or low-cost help to tenants facing eviction, and they can provide guidance on how to respond to the lawsuit and whether you have valid defenses.
- You can use the resources mentioned earlier (such as Legal Aid Societies or Tenant Rights Organizations) to find legal help.

7 Attend the Court Hearing

- After filing a response, the court will set a hearing date. It is crucial to attend the court hearing, where you will have the opportunity to present your case.
- Missing the hearing can result in a default judgment, leading to eviction.

8 Prepare for Settlement or Trial

- At the hearing, you may have the chance to negotiate a settlement with your landlord (e.g., more time to move out, repayment plans, etc.).
- If the case proceeds to trial, you and your landlord will present evidence, and the judge will make a decision.



9 Request More Time to Move (If Necessary)

If the court rules in favor of the landlord and you are unable to stop the eviction, you may request additional time to move. California law allows tenants to request up to 40 days to move after losing an eviction case, but you must request this time during the hearing.

10 Appeal (If Applicable)

If you believe the court made a legal error during your eviction trial, you may have the right to file an appeal. However, appeals are more complex and should be pursued with legal guidance.

11 Stay Informed on Your Rights

Stay informed about California's tenant protections, including local ordinances that may offer additional protections such as rent control or just cause eviction protections.



Where Can I Get Legal Help With an Unlawful Detainer?

If you're a California tenant dealing with an unlawful detainer and Tenant Law Group is unable to represent you, the following legal aid and advocacy organizations can assist.

Tenant Law Group Legal Aid Directory



See the full list by scanning the QR code or clicking the link to visit our [website](#).

This document provides general information about landlord-tenant laws in California and is not intended as legal advice. We encourage you to consult with a qualified tenant rights attorney or local tenant advocacy organization for guidance specific to your situation.

