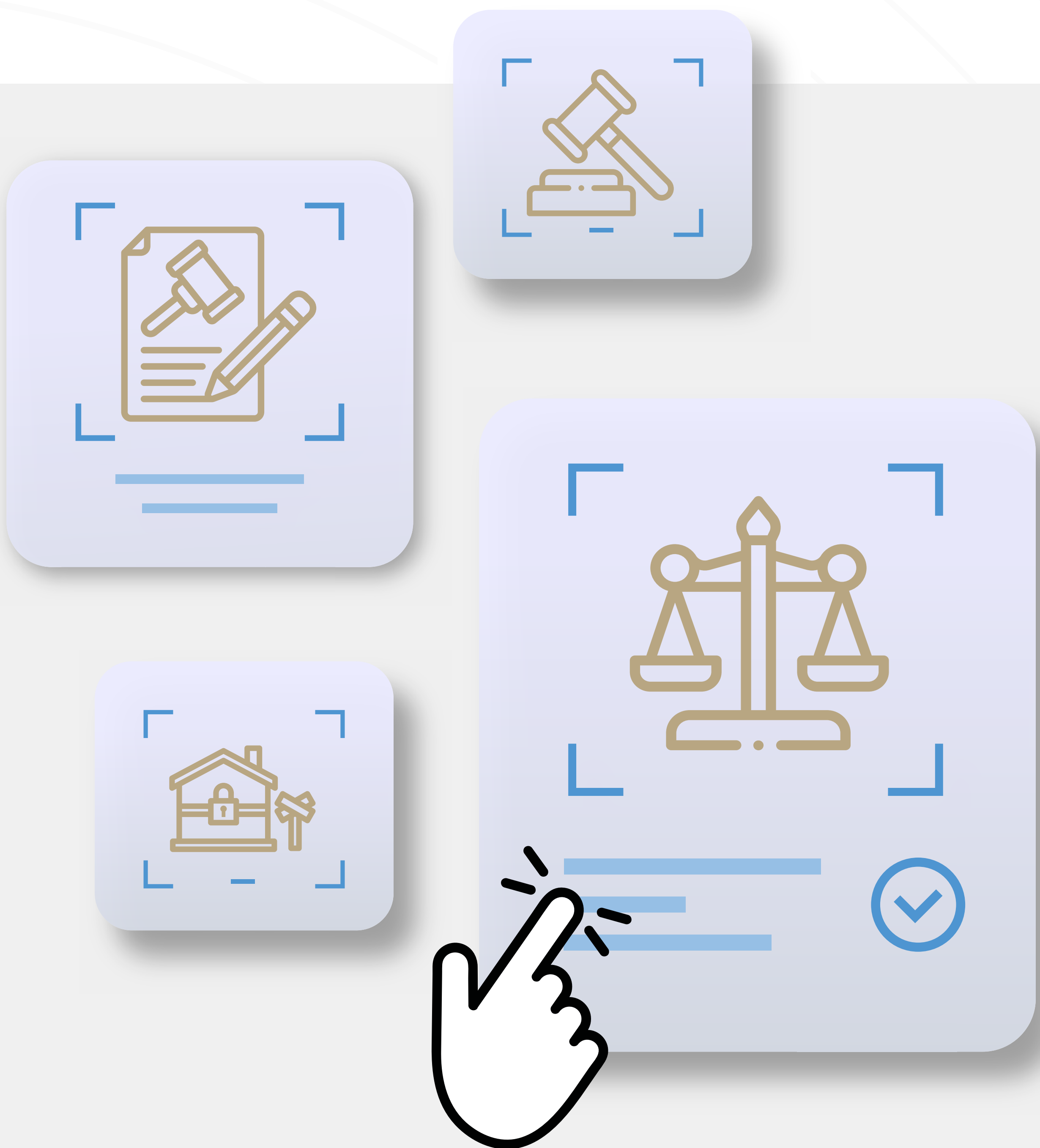


# Small Claims Court Resources For California Tenants



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# Navigating Small Claims Court in California as a Tenant

If you're a California tenant dealing with issues like unreturned security deposits, habitability problems, or other rental disputes, Small Claims Court can be a simple and affordable way to seek damages—often without a lawyer.

While Tenant Law Group does not offer Small Claims Court services, we've created a step-by-step guide and resources to help you through the process.





# 1 Evaluate Whether Small Claims Court Is Right for Your Case

Small Claims Court in California is designed for disputes involving smaller amounts of money, typically up to \$12,500.00 for individuals. It's ideal for tenants seeking compensation from landlords for:

- Unreturned security deposits.
- Repair costs (if the landlord failed to address habitability issues).
- Damages for uninhabitable living conditions (e.g., mold, lack of heat, or pest infestations).
- Property damage caused by the landlord's negligence.
- Illegal fees or charges.
- Retaliation or wrongful eviction damages.

Advantages of Small Claims Court:

- No attorney required: You represent yourself.
- Low cost: Filing fees are generally affordable.
- Quicker resolution: Cases are usually heard within a few months.





# 2

## Gather Evidence

- **Written Communication:** Emails, texts, or letters between you and the landlord regarding the issue.
- **Photos and Videos:** Visual proof of habitability problems or damages (e.g., mold, leaks, or pests).
- **Receipts:** Proof of any repairs or damages you paid for out of pocket (e.g., plumbing repairs, pest control).
- **Expert Reports:** If applicable, obtain reports from pest control experts, inspectors, or contractors showing the problem or damage.
- **Witness Statements:** If neighbors, repair professionals, or others can verify your claims, get written statements or ask them to testify.
- **Lease Agreement:** A copy of your lease or rental agreement showing your rights and responsibilities.
- **Security Deposit Documents:** If pursuing a security deposit refund, provide documentation of the deposit amount and move-out conditions.

Begin with confidence, our [practical guide](#) walks you through documenting problems and building strong evidence.





# 3

## Write a Demand Letter

Before filing a lawsuit, California law requires you to attempt to resolve the dispute with your landlord. This is typically done through a demand letter, which formally requests the money or resolution you are seeking. Your **demand letter** should include:

- A clear statement of the amount of money you are requesting and why.
- A summary of the issues (e.g., unreturned deposit, uninhabitable conditions).
- Evidence supporting your claim.
- A deadline for the landlord to respond (usually 10-15 days).
- A statement that if the issue is not resolved, you will take legal action in Small Claims Court.

Send this letter via certified mail with a return receipt so that you have proof the landlord received it.





# 4 File Your Claim

If your demand letter does not resolve the issue, you can proceed to file a claim in Small Claims Court.

Steps to File:

- **Locate the Correct Court:** File in the county where the rental property is located. Use the California Court's website to find the correct Small Claims Court.
  - Website: [Find Your Court.](#)
- **Complete the Forms:** The key form to file is the Plaintiff's Claim and Order to Go to Small Claims Court (Form SC-100). You can get the form from your local courthouse or download it online:
  - [Plaintiff's Claim \(SC-100\).](#)
- **Filing Fee:** The filing fee ranges from \$30 to \$75, depending on the amount of your claim. You can request a fee waiver if you cannot afford the filing fee:
  - [Fee Waiver Form.](#)





# 5

## Serve the Landlord

After filing your claim, you must “serve” the landlord or property management company with a copy of your court papers. This means providing them with legal notice of the lawsuit. Service can be done in one of the following ways:

- **Personal Service:** By someone over 18 who is not part of the case (e.g., a friend, relative, or professional process server).
- **Service by Certified Mail:** Some courts allow certified mail service by the court clerk.
- **Professional Process Server:** Hire a process server to deliver the papers for a fee.

You must complete service at least 15 days before the court date if the landlord lives in the same county, or 20 days if they live outside the county.





# 6 Prepare for Court

To prepare for your hearing:

- **Organize Your Evidence:** Gather all your documents, photos, receipts, and written communications. Make multiple copies—one for the judge, one for the landlord, and one for yourself.
- **Practice Your Presentation:** You will only have a few minutes to present your case, so practice explaining the key points clearly and concisely.
- **Bring Witnesses:** If you have witnesses who can support your claim (e.g., neighbors, repair professionals), ask them to attend the hearing. Alternatively, you can bring written statements.
- **Dress Appropriately:** Dress professionally to show respect for the court.





# 7

## Attend the Hearing

At the hearing:

- **Be On Time:** Arrive early and check in with the court clerk.
- **Present Your Case:** When it's your turn, present your evidence clearly and respectfully. Stick to the facts, and avoid getting emotional or argumentative.
- **Answer Questions:** The judge may ask questions to clarify your case. Be honest and direct in your responses.
- **Listen to the Landlord's Side:** The landlord will also present their side. Remain calm and composed while listening, and avoid interrupting.

# 8

## Receive the Judgment

The judge may make a decision at the hearing or mail the judgment to both parties later. If the judgment is in your favor, the court will order the landlord to pay you the awarded amount.





# 9

## Collect the Judgment

If you win your case, you may need to take steps to collect the judgment:

- **Demand for Payment:** Send a written demand to the landlord for the judgment amount. They must pay within a specified time frame (usually 30 days).
- **Collection Actions:** If the landlord doesn't pay, you may need to take further steps, such as garnishing their wages, placing a lien on their property, or hiring a collection agency.

# 10

## Seek Legal Assistance if Needed

If you need help navigating the Small Claims process or understanding your rights as a tenant, seek assistance from tenant rights organizations or legal aid.





# Where Can I Get Help with Small Claims Court?

If you're a California tenant in need of guidance with Small Claims Court, 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.*

