



SUPERIOR COURT OF CALIFORNIA

COUNTY OF TULARE

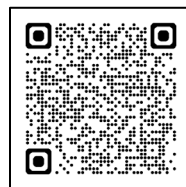
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UNLAWFUL DETAINER (EVICTION): DEFAULT JUDGMENT FOR POSSESSION

Forms included in this packet:		
COMPLETE & FILE	CIV-100	Request for Entry of Default
	UD-110	Judgment – Unlawful Detainer
	EJ-130	Writ of Possession
	UD-120	Verification By Landlord Regarding Rental Assistance – Unlawful Detainer
	CIV-110	Request for Dismissal

For a list of legal packets and samples, scan the QR code below, or visit:

<https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions>



Unlawful Detainer (Eviction): Default Judgment for Possession

Completing Forms:

- California Court forms: Fillable, printable PDF versions of the forms referenced in this packet are available at the California Court website. For details, visit: <https://courts.ca.gov/rules-forms/find-your-court-forms>
- Legal packets and samples: The Tulare County Superior Court's website offers many packets and samples. Visit the link on page 1 (or scan the QR code).

Self-Help Resource Center:

If you do not have an attorney representing you, free procedural assistance is available. Contact the Self-Help Resource Center (SHRC), also known as the Office of the Family Law Facilitator. SHRC staff will provide instructions on how to complete forms, how to serve the other party, and can answer procedural questions. However, SHRC staff **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The SHRC can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

County Civic Center

221 S. Mooney Blvd., Room 203
Visalia, CA 93291

South County Justice Center

300 E. Olive Ave.
Porterville, CA 93257

Other Resources:

If you have further questions or concerns, consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct research on your legal issue and find additional information at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
- Sacramento County Public Law Library: <https://saclaw.org/>
- Central California Legal Services (CCLS): <https://centralcallegal.org/>
 - CCLS provides free legal assistance on landlord-tenant matters for parties who meet certain financial criteria.
- California Rural Legal Assistance (CRLA): <https://crla.org/>
 - CRLA is a nonprofit law firm that provides free civil legal services to low-income residents of California's rural counties.
- Office of The Attorney General: <https://oag.ca.gov/tenants>

INSTRUCTIONS

If your tenant did not file a response (like an **Answer**) by the deadline, you can ask the court for a **default judgment**. This means the court can decide the case without hearing from your tenant. These instructions explain how to obtain a default **Judgment for Possession** of the property, and includes an eviction flow chart which shows the various steps in an eviction case. A **Judgment for Possession** does **not** include a request for money, but you can ask the court for unpaid rent later. The main reason to ask for possession only (*instead of asking for both possession and money*) is that it's faster. A possession-only judgment will allow you to get the tenant out quickly so you can repossess your property as soon as possible. Read this packet in its entirety before you begin completing forms. Forms referenced but not included in this packet are available on the California Court website (*see URL listed on page 2*).

Money Judgment: If asking for a money judgment, speak to an attorney or seek assistance at the Tulare County Law Library.

STEP 1: REVIEW THE RESPONSE DEADLINE

The tenant's deadline to respond depends on how they were served the **Summons** and **Complaint**:

- If they were personally served, they have 10 court days to respond.
- If they were served via substituted service (*left with an adult and then mailed*), they have 20 days to respond (*the first 10 days are calendar days, and the next 10 days are court days*).

After the deadline has passed, you can file forms to request a default judgment. You must act quickly; until the default judgment is entered, the defendant(s) can file an **Answer** and request a court hearing.

More than one tenant? If you have more than one tenant and they were served the **Summons** and **Complaint** on different days, they will have different deadlines to respond. If one tenant did not respond within their deadline, but another tenant still has time to respond, you have two options:

- Ask for a default against the tenant who missed the deadline. Later, you can ask for a default against the other tenant when their deadline passes.
- Wait for all the different deadlines to pass, and then ask for a default as to all tenants.

STEP 2: COMPLETE THE FORMS

CIV-100, Request for Entry of Default

Each defendant must be mailed a copy of this completed form *before* it is filed (see *Item 6*). After you file this form, the tenant cannot file a response.

- **Caption:** Mark the boxes for “*Entry of Default*” and “*Clerk’s Judgment*”.
- **Item 1:** At (a) and (b), enter the date the **Complaint** was filed, and the name of the plaintiff.
 - Mark box (c) and enter the names of each defendant.
 - Mark the boxes at (e) and (e)(1). If the Sheriff or a process server served the defendants with form **CP 10.5, Prejudgment Claim of Right to Possession**, check the box beginning with “*Include in the judgment all tenants ...*”.
- **Item 2:** Leave blank.
- **Item 3:** Mark the box. Then date, print your name, and sign.
- **Item 4:** Mark the box for “*did not*” regarding unlawful detainer assistance.
- **Item 5:** Mark the box, plus the boxes for “*is not*” at (a), (b), and (c).
- **Item 6:** Mark box (b). For each defendant, enter the date of mailing, their name, and their address. Then date, print your name, and sign.
- **Item 7:** Mark box (f). Then date, print your name, and sign.
- **Item 8:** If the defendant **is not** active military, mark the box indicating how you know.
 - If the defendant **is** active military, read the *Notice* in the middle of page 3. There are additional steps to obtain a judgment against an individual who is active duty.
- **Bottom of page 3:** Date, print your name, and sign.

UD-110, Judgment- Unlawful Detainer

- **Caption:** Mark the boxes for “*By Clerk*”, “*By Default*”, and “*Possession Only*”.
- **Item 1:** Mark the boxes at (1) and (1)(d).
- **Item 2:** Leave blank.
- **Top of Page 2:** After “*Judgment is entered as follows by*”, check the box for “*The Clerk*”.
- **Item 3:** Mark box (a). Enter the names of the plaintiff(s) and defendant(s).
- **Item 4:** Enter the address of the property, and the county where the property is located. Then mark the box for “*Plaintiff named in 3a*”.
- **Item 5:** Mark the box.
 - Note: If there were occupants not named in the **Complaint**, you would have needed the Sheriff or a process server to serve these people with form **CP 10.5, Prejudgment claim of Right to Possession**. If this did not happen, this judgment will not allow you to evict these unnamed occupants.
- **Section 6.** Mark the box. Leave (a) and (b) blank.
 - At (c), mark only one box (*cancel or forfeit*) if you indicated on the original written *Notice* that you would do so.

EJ-130: Writ of Possession

- **Caption:** Mark the boxes for “*Possession*”, “*Real Property*”, and “*Limited Civil Case*”.
- **Item 1:** Enter “*Tulare*”.
- **Item 3:** Enter your name and mark the box for “*original judgment creditor.*”
- **Item 4:** Enter the name and address of the judgment debtor (the tenant). If there are additional debtors, you can enter their names at **Item 21**.
- **Item 5:** Leave blank. The Clerk will enter the date.
- **Item 6:** Leave blank.
- **Item 7:** Mark box (a).
- **Item 9:** Mark the box, indicating “*Writ of Possession*”.
- **Items 10 through 20:** Leave blank.
- **Item 21:** If there are additional defendants, enter their names and addresses.
 - Include unknown occupants if you had the Sheriff or a process server serve form **CP 10.5, Prejudgment claim of Right to Possession**.
- **Item 22:** Mark box (d), and enter “*Possession of real property.*”
- **Items 23 and 24:** Leave blank.
- **Item 25.** Mark the box at 25 and 25(a), and enter the date the **Complaint** was filed.
 - Complete (a)(1) through (4) as it applies to you.
 - At (e), check the box for “*Below*” and enter the full address of the property, plus the county where it is located.

UD-120, Verification By Landlord Regarding Rental Assistance – Unlawful Detainer

This is an optional form that must be filed only if you are evicting the tenant because of nonpayment of rent. Even if you are not asking for that money now, you still need to file this form.

- **Item 1:** Enter the landlord’s name.
- **Bottom of page 1:** Date, print your name, and sign.

CIV-110, Request for Dismissal

This is an optional form. Complete and file only if you alleged Doe defendants in the **Complaint**.

- **Item 1:** At (a)(2), mark the box for “*Without prejudice*”. At (b)(6), mark the box and enter “*Entire action and all causes of action as to Doe Defendants.*”
- **Item 2:** Mark the appropriate box regarding court fees. If court fees were waived, complete the *Declaration Concerning Waived Court Fees* on page 2.
 - Date, print your name, and sign.
 - Under your name, check the box for “*Party without attorney*”.
 - Under your signature, check the box for “*Plaintiff/Petitioner*”.

STEP 3: FILE YOUR DOCUMENTS

After you've completed your forms, make one copy. Bring the originals and copies to the Clerk of Court, located at Room 201 of the Visalia Courthouse, or the filing windows at the South County Justice Center in Porterville. The Clerk will file your forms and will issue the **Writ** by stamping form **EJ-130, Writ of Possession**. An issued **Writ** tells the Sheriff to enforce your judgment. There is a fee to have the court issue the **Writ**, but the fee will be waived if you have a fee waiver on file.

STEP 4: SHERIFF SERVES WRIT

Next, take the issued **EJ-130, Writ of Possession** to the Tulare County Sheriff's Office. The Sheriff's Department is located at Room 102 of the Visalia Courthouse. The Sheriff may ask you to complete an instructions form, identifying the property and defendants. Be sure to ask when they will execute service. The Sheriff will serve the tenant with the **EJ-130, Writ of Possession** and a Sheriff's Lock-out Notice, which tells the tenant the move out deadline (*typically 7 calendar days from the date of service*). If the premises is not vacated by the lock-out date, the Sheriff will come to the property to forcibly remove them, and will lock them out. The Sheriff charges a fee to serve the **Writ**, but the fee may be waived if you have a fee waiver on file.

Tenant options to slow down or stop the eviction:

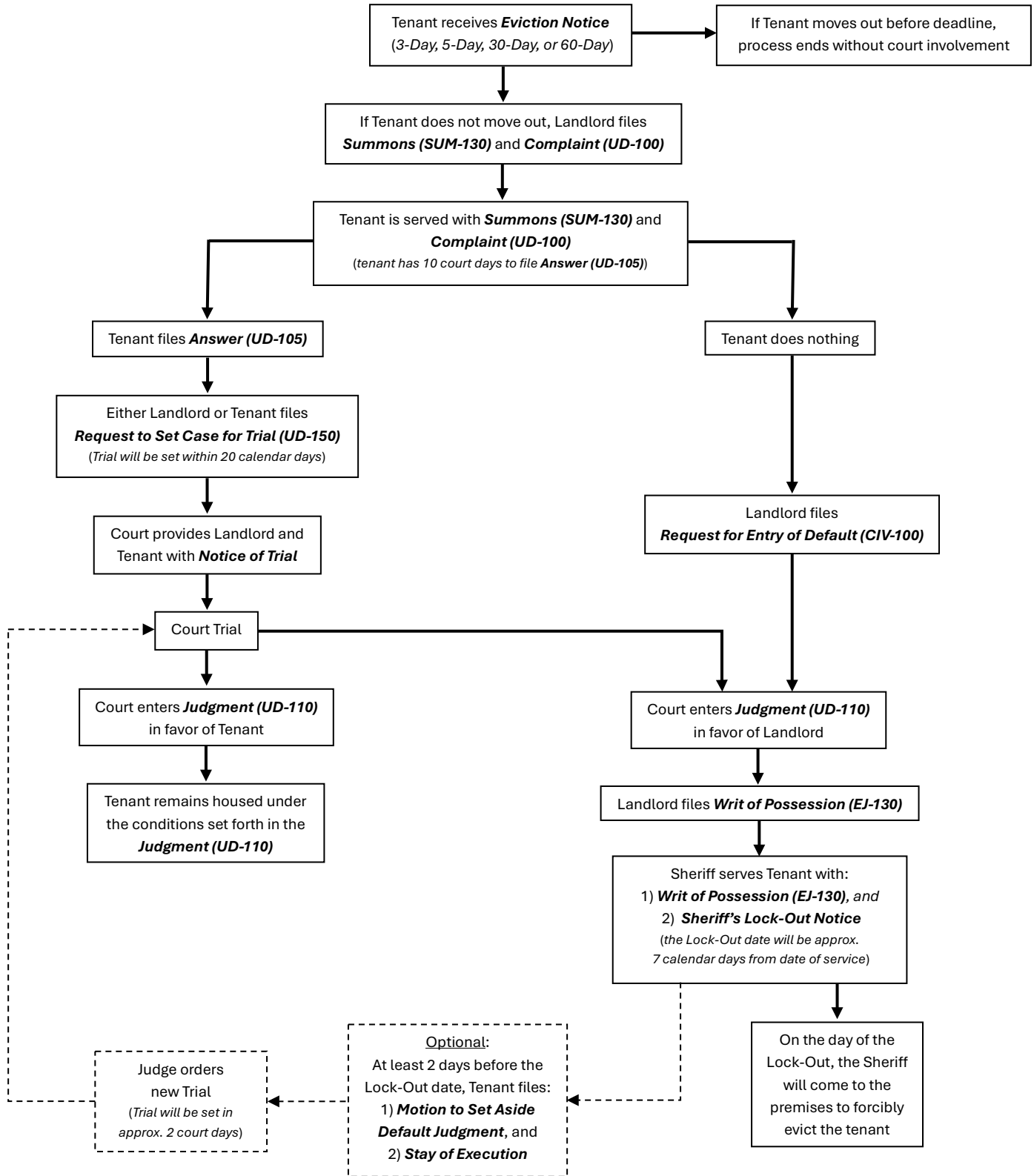
- If your tenant needs more time before moving out, they can file a motion for a stay of execution.
- If your tenant missed the court date because of an emergency or some other excusable mistake, they can file a motion to set aside the judgment.
- If your tenant believes the judge didn't follow the law, they can file an appeal.

NEXT STEPS: ASKING FOR MONEY DAMAGES

After you have regained possession of the property, you may ask for the money you're owed in a separate money judgment. To pursue this process, speak to an attorney or seek assistance at the Tulare County Law Library.

The Self-Help Resource Center (SHRC) does not assist with money judgments stemming from unlawful detainer cases.

The Eviction Process



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 STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
Plaintiff/Petitioner: Defendant/Respondent:	
REQUEST FOR <input type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment (Application) <input type="checkbox"/> Court Judgment	
CASE NUMBER:	
Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.); (see form 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.

	<u>Amount</u>		<u>Credits acknowledged</u>	<u>Balance</u>
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) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):	
Clerk, by _____, Deputy		Page 1 of 3

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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8. Declaration of nonmilitary status *(required for a judgment)*.

No defendant/respondent named in item 1c is in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that no defendant/respondent named in item 1c is in the U.S. military service because *(check all that apply)*:

- a. the search results that I received from <https://scra.dmdc.osd.mil/> say the defendant/respondent is not in the U.S. military service.
- b. I am in regular communication with the defendant/respondent and know that they are not in the U.S. military service.
- c. I recently contacted the defendant/respondent, and they told me that they are not in the U.S. military service.
- d. I know that the defendant/respondent was discharged from U.S. military service on or about *(date)*:
- e. the defendant/respondent is not eligible to serve in the U.S. military because they are:
 incarcerated a business entity
- f. other *(specify)*:

Notice

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the defendant/respondent is in the military service, or their military status is unknown, the defendant/respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

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

Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>name, state bar number, and address</i>) : TELEPHONE NO.: _____ FAX NO. (<i>optional</i>) : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>name</i>) : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
<div style="text-align: center;"> JUDGMENT—UNLAWFUL DETAINER </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"> <input type="checkbox"/> By Clerk <input type="checkbox"/> By Court </div> <div style="text-align: center;"> <input type="checkbox"/> By Default <input type="checkbox"/> Possession Only </div> <div style="text-align: center;"> <input type="checkbox"/> After Court Trial <input type="checkbox"/> Defendant Did Not Appear at Trial </div> </div>	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:

<input type="checkbox"/> plaintiff (<i>name each</i>) :	<input type="checkbox"/> plaintiff's attorney (<i>name each</i>) :
	(1)
	(2)
<input type="checkbox"/> Continued on <i>Attachment 2b</i> (form MC-025).	
<input type="checkbox"/> defendant (<i>name each</i>) :	<input type="checkbox"/> defendant's attorney (<i>name each</i>) :
	(1)
	(2)
<input type="checkbox"/> Continued on <i>Attachment 2b</i> (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.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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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. The party entitled to possession of the premises located at (*street address, apartment, city, and county*):

plaintiff named in item 3a defendant named in item 3b defendant listed on attached form UD-110P in item 8b1 (Code Civ. Proc., § 1174.27). is

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:

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

(1) <input type="checkbox"/>	Past-due rent	\$
(2) <input type="checkbox"/>	Holdover damages	\$
(3) <input type="checkbox"/>	Attorney fees	\$
(4) <input type="checkbox"/>	Costs	\$
(5) <input type="checkbox"/>	Other (<i>specify</i>):	\$
(6) TOTAL JUDGMENT		\$

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 Habitable Premises Attachment* (form UD-110H), which is attached.

8. **Judgment for partial eviction.** A partial eviction is issued as stated in *Judgment—Unlawful Detainer Partial Eviction Attachment* (form UD-110P), which is attached.

9. **Other** (*specify*):

Continued on *Attachment 9* (form MC-025).

Date: _____ _____ JUDICIAL OFFICER

Date: _____ Clerk, by _____, Deputy

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

(SEAL)

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): <input type="checkbox"/> ATTORNEY FOR: <input type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
<input type="checkbox"/> EXECUTION (Money Judgment) WRIT OF <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property	<input type="checkbox"/> Limited Civil Case (including Small Claims) <input type="checkbox"/> 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

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) \$ _____

5. Judgment entered on (date):

(See type of judgment in item 22.)

6. Judgment renewed on (dates):

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) \$ _____

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.

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:
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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. personal debt, as defined in Code of Civil Procedure section 683.110(d). (*If this box is checked, the judgment creditor must complete Declaration of Address Verification (form WG-015/EJ-135) before asking the sheriff to serve this form on the judgment debtor.*)
 - d. other (*describe*):

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

24. Joint debtor was declared bound by the judgment (Code Civ. Proc., §§ 989–994)

a. <i>on (date)</i> : b. name, type of legal entity if not a natural person, and last known address of joint debtor:	c. <i>on (date)</i> : d. name, type of legal entity if not a natural person, and last known address of joint debtor:

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

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* (form CP10.5) was served in compliance with Code of Civil Procedure section 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 Code of Civil Procedure section 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 Code Civ. Proc., §§ 415.46 & 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 Code of Civil Procedure section 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 Code of Civil Procedure section 1174.3 on the following dates (*specify*):



Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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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 Code of Civil Procedure section 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.

JUDGMENTS FOR PERSONAL DEBT. If you are the judgment debtor identified in item 4 on this form, and if item 22 on this form says the judgment is for personal debt, the judgment creditor is required to verify your address before asking the levying officer to serve this *Writ of Execution*. The judgment creditor must give the levying officer a completed copy of *Declaration of Address Verification* (form WG-015/EJ-135) and must file completed form WG-015/EJ-135 with the court within 10 business days of giving a copy of the form to the levying officer. If the judgment creditor doesn't take these steps, you can ask the court to stay any wage garnishment order, bank account levy, or other levy related to this *Writ of Execution*. You can use *Application for Stay of Levy or Garnishment* (form WG-017/EJ-137) to ask the court to stay the levy or garnishment until the address verification has been completed.

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

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

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

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

Date: _____

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE)

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

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 STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
REQUEST FOR DISMISSAL	CASE NUMBER:

A conformed copy will not be returned by the clerk unless a method of return is provided with the document.
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)

1. TO THE CLERK: Please **dismiss** this action as follows:
- a. (1) With prejudice (2) Without prejudice (3) Without prejudice and with the court retaining jurisdiction (Code Civ. Proc., § 664.6)
- b. (1) Complaint (2) Petition
 (3) Cross-complaint filed on (date): by (name):
 (4) Cross-complaint filed on (date): by (name):
 (5) Entire action of all parties and all causes of action
 (6) Other (specify):*
2. (Complete in all cases except family law cases.)
 The court did did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

 (SIGNATURE)

Attorney or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.†
 Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)

 (SIGNATURE)

Attorney or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-Complainant

- Check here and use form MC-025 or a separate page for additional signatures. Include date, printed name, and party information.
4. Dismissal entered as requested on (date): _____
5. Dismissal entered on (date): _____ as to only (name): _____
6. Dismissal **not entered** as requested for the following reasons (specify): _____
7. a. Attorney or party without attorney notified on (date): _____
 b. Attorney or party without attorney not notified. Filing party failed to provide
 a copy to be conformed means to return conformed copy
- Date: _____ Clerk, by _____, Deputy

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

Declaration Concerning Waived Court Fees

1. The court waived fees and costs in this action for *(name)*:
2. The person in item 1 is *(check one below)*:
 - a. not recovering anything of value by this action.
 - b. recovering less than \$10,000 in value by this action.
 - c. recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. All court fees and costs that were waived in this action have been paid to the court *(check one)*: Yes No

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

Date:

(TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION)

▶ _____

(SIGNATURE)