Unpaid Rent Eviction Guide For <u>pre</u> and <u>post</u> COVID Periods (Rents due before March 1, 2020, or on or after October 1, 2021)

<u>**WARNING!** Eviction procedures in California are complex and local law needs to be considered. Consultation with a qualified California landlord tenant attorney is highly advised.</u>

Standard eviction procedures are significantly different for COVID Covered Period (March 1, 2020 – September 30, 2021).

See Quick Guide: Unpaid Rent Eviction Guide During COVID Protected and Transition Periods for detailed guidance.

Step 1: Serve Tenant with 3-Day notice to pay rent or quit (C.A.R. Form PRQ). Service must be by tried in following order: Personal Service, Substituted Service, Post and Mail.

Step 2: Wait 3 days after service, excluding Saturdays, Sunday and Judicial Holidays. Possibly need to add 5 days if anything other than personal service. Discuss with qualified California landlord tenant attorney.

Step 3: For UDs between October 1, 2021, and March 31, 2022, the landlord must apply for state rental assistance and either 1) Be denied or 2) 20 days have passed, and there is no sign that the tenant will cooperate. In any event, the tenant should be given at least 15 business days after service of the 3-day notice to apply for rental assistance.

Step 4: File Unlawful Detainer lawsuit seeking possession + unpaid rent as damages

Step 5: Serve Tenant with copy of Complaint

Step 6: Tenant given an opportunity to answer Complaint

Step 7: If Tenant does not answer Complaint, court sets a default hearing date. If Tenant answers complaint, court sets a trial date.

Step 8: If Tenant successful, the lawsuit is dismissed. If Landlord successful, obtain a judgement and writ of possession and submit to Sheriff.

Step 9: Sheriff sets possession (lock-out) date. Service required on tenant (posted on property)

Step 10: Sheriff delivers possession to Landlord

Keep in mind that anytime during process, landlord and tenant may enter into a mutual agreement to terminate the tenancy and give possession back to the landlord.