

FORMS TO FILE IN AN UNLAWFUL DETAINER CASE

COMPLAINT – UNLAWFUL DETAINER (UD-100)

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

ATTACHED TO THE COMPLAINT

1. 3 day, 30 day or 60 day Notice
2. Proof of Service of the 3, 30 or 60 day Notice
3. Rental Agreement (unless lost or oral)

****Per Local Rule 3.03B, the parties may file a copy of the proof of service of 3, 30 or 60-day notice to quite/vacate, but must retain the original proof of service pursuant to California rules of Court 2.257(b).**

SUMMONS – UNLAWFUL DETAINER (SUM-130)

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

NOTICE OF REVIEW FOR COURTS MOTION RE DISMISSAL (LOCAL FORM CV011)

- 1 original for the Court
- 1 copy for your records and 1 copy for each Defendant (The court will only conform two copies)

CIVIL CASE COVER SHEET (CM-010)

- 1 original for the Court
- 1 copy for your records and 1 copy for Defendant (The court will only conform two copies)

Court fees are as follows:

- Forms = \$.25; Copies = \$.50 per page

- Filing fee for cases under \$10,000 = \$240.00
- Filing fee for cases between \$10,000 & \$35,000 = \$385.00
- Filing fee for cases over \$35,000 = \$435.00
- Filing fee for issuance of Writ=\$40.00

**** The Plaintiff cannot serve the Summons & Complaint****

A Sheriff, Marshal, licensed process server or anyone over the age of 18 who is not involved in the action must serve the Summons & Complaint.

FORMS NEEDED IF DEFENDANTS DO NOT RESPOND

PROOF OF SERVICE OF SUMMONS AND COMPLAINT (POS-010)

- 1 original for the Court
- 1 copy for your records

VERIFICATION BY LANDLORD REGARDING RENTAL ASSISTANCE (UD-120)

- 1 original for the Court
- 1 copy for your records

****This form must be filed by the plaintiff with any request for default judgment in any action seeking possession of residential property based on nonpayment of rent or other financial obligation under lease.**

REQUEST FOR ENTRY OF DEFAULT AND REQUEST FOR JUDGMENT (CIV-100)

- 1 original for the Court
- 1 copy for your records

****A copy to be mailed to each Defendant prior to filing.**

JUDGMENT BY DEFAULT BY CLERK (OR COURT) – UNLAWFUL DETAINER (UD-110)

- 1 original for the Court
- 1 copy for your records

****A Judgment may be obtained by the Clerk for possession of the premises only. A money Judgment can be obtained at a later time, but a Court Judgment must be submitted. If seeking possession and money simultaneously, a Court Judgment must be submitted****

FORMS NEEDED IF DEFENDANTS DO RESPOND

REQUEST TO SET CASE FOR TRIAL – UNLAWFUL DETAINER (UD-150)

- 1 original for the Court
- 1 copy for your records.

****A copy to be mailed to each Defendant prior to filing.**

****The Court will set your trial date after a Request to Set (Form UD-150) has been filed and you will receive notice of your trial date in the mail. After your hearing, your Judgment After Trial can be submitted to the Clerk's Office. When trial is set, the Court will vacate the Court's Motion to Dismiss hearing.****

FORMS NEEDED AFTER YOUR COURT TRIAL

JUDGMENT AFTER TRIAL BY COURT – UNLAWFUL DETAINER (UD-110)

- 1 original for the Court
- 1 copy for your records

Note: The court clerk staff cannot give legal advice. It is recommended that you seek legal advice if you are not sure how to proceed with your case. You may want to seek assistance for forms necessary to enforce your judgment.

Instructions for opening an Unlawful Detainer Case

Type or print legibly in **blue** or **black** ink. DO NOT USE GEL PENS.

COMPLAINT – UNLAWFUL DETAINER (UD-100)

1. Write your name, address and phone number. Make sure to include any others who are suing the tenants.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:
Street: 300 Starr Avenue

Mailing: 300 Starr Avenue
City & Zip: Turlock, CA 95380

3. Write your name as the Plaintiff, and the names of the other plaintiffs if any. After Defendant, write the name(s) of all adults living in the residence (house, apartment). If there are adults living in the residence whose names you do not know, check DOES 1 TO ____” and fill in the number of additional defendants you believe may be living there also.
 4. Check “complaint.”
 5. Under Jurisdiction, check the first box (action is a limited civil case). Check “does not exceed \$10,000” OR “exceeds \$10,000, but does not exceed \$25,000,” whichever applies.
 6. Write the names of all Plaintiffs. (The names must be spelled exactly the same as spelled on section #3).
 7. Write the names of all Defendants. (The names must be spelled exactly the same as spelled on section #3).
 8. For 2(a), check the box that best describes the plaintiff(s). Check 2(b) if applicable.
 9. Fill in the complete address of the premises (property). Note: it is very important to include the zip code and county.
- **Please note: You may need to seek legal advice for information on completing items #4-19 on this form. The Clerk’s Office cannot give Legal advice and can only guide you to how to format the paperwork. See next page for additional information.
10. Write in the Plaintiffs’ names and the Defendants’ names.
 11. If you attach pages, please check box #20 and write in the number of pages you attached to the Complaint.
 12. Check the first box in this section. Next, tell the court if someone helped you fill out this form by checking one of the boxes: “did not” or “did”. Fill out the rest of this section ONLY if you have received any help or advice for pay from an Unlawful Detainer Assistant.
 13. Write the date and print the name of each Plaintiff.
 14. Each Plaintiff must sign their name. Since there is only one signature line, each Plaintiff can sign on the line.
 15. Under the verification section, each Plaintiff must date, print their name and sign.

CIVIL CASE COVER SHEET(CM-010)

1. Write the name, address and phone number of all Plaintiffs.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:
Street: 300 Starr Avenue
Mailing: 300 Starr Avenue
City & Zip: Turlock, CA 95380
3. The case name is the plaintiff's last name vs. defendant's last name. If there is more than one plaintiff or defendant, use the name of the primary or main person in the case. (*Example:* Smith vs. Johnson)
4. Check "Limited" if the amount owed is under \$25,000.
5. Check the box that applies under the category "Unlawful Detainer": Chose either "Residential" or "Commercial" here. Detainer"
6. Your case should not be complex. Check the "is not" box and do not check boxes (a) thru (f).
7. Check box (a) if you are seeking money. Check box (b) if you are requesting other help such as eviction of the tenant.
8. Write how many causes of action. For example, write "1" if this is only an eviction.
9. Check the "is not" box since an eviction is not a class action lawsuit.
10. Fill in the date, type or print your name and sign. All Plaintiffs must sign their name here.

SUMMONS-UNLAWFUL DETAINER-EVICTION (SUM-130)

1. Write the name of each person you are suing (Defendant). The name(s) must be spelled exactly as they are spelled on the Complaint. If you marked "Does" on the Complaint, they also need to be added here. Example "Does 1-10".
2. You are the Plaintiff. Write your name here along with any additional Plaintiffs. The names must be spelled exactly as they are spelled on the Complaint.
3. If not already completed for you, write in the name of the county = Stanislaus.
4. If not already completed for your, write in the address of the Court = 300 Starr Avenue, Turlock, CA 95380
5. Write your name (and any other Plaintiff's names), address and phone number.

6. Write in your name and any other Plaintiff's names. Names must be spelled exactly as they are spelled on the Complaint.
7. Write in the Defendants names. Names must be spelled exactly as they are spelled on the Complaint.
8. Check the box indicating if someone "did not" or "did" give you advice for pay.
9. Mark box (c) "as an occupant". Write your name after Plaintiff. Write the name of the Defendant(s).

NOTICE OF REVIEW FOR COURT'S MOTION RE: DISMISSAL (UNLAWFUL DETAINER CASES ONLY) (CV011)

1. Write your name, address and phone number. Make sure to include any others who are suing the tenants.
2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:
Street: 300 Starr Avenue
Mailing: 300 Starr Avenue
City & Zip: Turlock, CA 95380
3. Write the name of each Plaintiff exactly as you listed them on the Complaint. Also write all Defendants' names exactly as you listed them on the Complaint. All name spellings must match the Complaint.

The Clerk will complete the rest of the document, sign it and assign a hearing date. This hearing is not your trial. Your case will be set as a "case review" so that the judge can review the status of the case and dismiss it if no action is taken in the case or if you do not file additional documents to keep the case moving along.

PREJUDGMENT CLAIM OF RIGHT TO POSSESSION – UNLAWFUL DETAINER (CP-10.5)

Leave this form (both pages) blank. This form may be served on unknown tenants as part of the entire packet if there are tenants other than the named defendant(s) and you would like to have them evicted too. It must be served blank along with the Summons, Complaint, Civil Case Cover Sheet, AND Notice of Review re Court's Motion to Dismiss.

PROOF OF SERVICE OF SUMMONS (POS-010)

1. Write your name, address and phone number. Make sure to include any others who are suing the tenants.

2. If not filled in for you, write "Stanislaus" after COUNTY OF. The address is as follows:
Street: 300 Starr Avenue
Mailing: 300 Starr Avenue
City & Zip: Turlock, CA 95380
3. Write your name as the Plaintiff, and the names of the other plaintiffs if any. After Defendant, write the name(s) of all adults living in the residence (house, apartment). If there are adults living in the residence whose names you do not know, check DOES 1 TO ____" and fill in the number of additional defendants you believe may be living there also.
4. Check all the boxes that apply. You must tell the Court what documents were served on the Defendant(s).
5. Write in the name of the person who was served. You must use a separate Proof of Service for each person being served. If the documents were handed to someone other than the Defendant, you will list that person's name in box b.
6. Add the address where the Defendant was served.
7. Check one of the boxes on pages 1 or 2 to tell the Court *how* the Defendant was served.
8. Write in the name(s) of the Plaintiff and the name(s) of the Defendant.
9. Check the "as occupant" box if you served a tenant/occupant. If not, check the box that applies.
10. If you checked #6(d), you must check the sub boxes that apply.
11. The person who served the paperwork for you must write in their name, address, telephone number and the fee that they charged you.
12. A box must be checked that applies.
13. Box #8 or #9 must be checked. #8 – for a person who is not a California Sheriff or Marshal.
14. The person who served the documents for you must print their name and sign this form. They should also write in the date they signed this Proof of Service of Summons form.