

COUNTY OF LOS ANGELES
DEPARTMENT OF CONSUMER
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CONSUMER AND
BUSINESS AFFAIRS**



Evictions

Unlawful Detainer: The legal
process to make you move



Facts for Renters

Evictions

Eviction is a legal process your landlord uses to make you move out. To evict you, your landlord must first give you a 3, 30, 60 or 90-day notice. If you get one of these, it's important that you take action, like pay the rent you owe, move out, or get legal help.

Unlawful Detainer

If you get a 3, 30, 60 or 90-day notice and don't take action, your landlord can file a lawsuit against you called an *Unlawful Detainer*.

An Unlawful Detainer tells you that the landlord has filed an action in court to have you evicted. It names the landlord as the Plaintiff and you as the Defendant. A case number and the court the case is filed at are listed on the Unlawful Detainer.

If you are served with an Unlawful Detainer, get a lawyer or contact a local legal aid organization right away. You only have five days from the date you receive an Unlawful Detainer to file a written answer with the court.

Answering the Unlawful Detainer

If you file a written answer with the court, you will be given a trial date. At the trial, you can explain your case to the judge. If you win, you won't be evicted.

If you don't file an answer within five days, you can't appear in court. A default judgment will be entered against you. Once the default is entered, you can be evicted.

The Eviction

Only a Sheriff can evict you. The Sheriff will post a five-day eviction notice on your door. If you do not move out within five days, the Sheriff will return and force you to move out.

Personal belongings

If you leave any personal belongings in the rental unit, the landlord can keep them until you pay storage costs. Storage costs start the day you are evicted but do not include back rent you may owe. If you don't claim your belongings, the landlord can sell them at auction. If they are worth less than \$300, he can give them away.

Your Tenant Rights

It is illegal for a landlord to lock you out, remove doors or windows, change locks, cut off utility services, or use other forms of harassment to make you move out. You can file a complaint with the police if the landlord locks you out or cuts off your utilities. You can also sue your landlord in Small Claims Court.

If you report your landlord to a government agency, your landlord cannot raise your rent, evict you, or decrease the services provided to you because you complained. This protection is good for 180 days from the date you file your complaint.

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