



SUPERIOR COURT OF CALIFORNIA

**COUNTY OF TULARE**

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## UNLAWFUL DETAINER (EVICTION): DEFAULT JUDGMENT

Forms included in this packet:		
<b>TO READ</b>	This Packet	Instructions
<b>TO COMPLETE AND FILE</b>	CIV-110	Request for Dismissal
	CIV-100	Request for Entry of Default
	UD-110	Judgment – Unlawful Detainer
	UD-120	Verification By Landlord Regarding Rental Assistance – Unlawful Detainer
	EJ-130	Writ of Possession

# Unlawful Detainer (Eviction) Default Judgment

This is an instructional guide to filing a default judgment in an unlawful detainer (eviction) case, designed to explain the necessary steps for filing your documents and to regain possession of your property.

## Completing Forms:

Fillable, printable pdf versions of the Judicial Council forms contained in this packet are available online at <https://www.courts.ca.gov/forms.htm>. You can type the forms and print them out for filing.

## Self Help Resource Center:

If you do not have an attorney representing you, free assistance is available. Please contact the Self-Help Resource Center, also known as the Family Law Facilitator. The Self-Help Resource Center will provide instructions on how to complete the forms and how to properly serve notice on all the necessary parties. They can answer your procedural questions and explain the court process but **CANNOT** provide legal advice or represent you in court. The Self-Help Resource Center can be reached at (559) 737-5500 and [selfhelp@tulare.courts.ca.gov](mailto:selfhelp@tulare.courts.ca.gov), and offices are located at:

- 221 S. Mooney Blvd. (County Civic Center), Room 203, Visalia CA 93291
- 300 E. Olive (South County Justice Center), Porterville, CA 93257

## Other Resources:

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

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
  - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available in the Self-Help Resource Center in the South County Justice Center.
- Sacramento County Public Law Library: <https://saclaw.org/>
- Central California Legal Services (CCLS): <https://centralcallegal.org/>
  - Located in Visalia, CCLS provides free legal assistance on Landlord-Tenant matters for parties who meet certain financial criteria.
- Office of The Attorney General: <https://oag.ca.gov/consumers/general/landlord-tenant-issues>

## INSTRUCTIONS

This packet contains the forms you need to request a Default Judgment of Unlawful Detainer. You can request entry of default if you have served the Defendant(s) and no Answer has been filed within the ten (10) court days allowed. To obtain a judgment in this case, you must ask the court to enter the defendant's default. You must act quickly; until default is entered, the defendant(s) can file an Answer. Speak to the Self-Help staff if you are only requesting entry of default as to some defendants, because the time for other defendants to answer has not yet expired.

**Note:** These instructions explain how to obtain a Judgment for *possession* of the property. If you are also asking your tenant for money, speak to an attorney or seek assistance at the Tulare County Law Library, for information on completing the forms for a default money judgment.

The forms included in this packet consist of:

- Request for Dismissal (CIV-110)
- Request for Entry of Default (CIV-100)
- Judgment – Unlawful Detainer (UD-110)
- Verification By Landlord Regarding Rental Assistance (UD-120)
- Writ of Possession (EJ-130)

These instructions will explain how to complete these forms and the process of submitting them to the Clerk for filing to finish the first two steps of this process. If you are not seeking money damages, this is the only step you must complete to finish the case.

## COMPLETE THE FORMS

**Request for Dismissal (CIV-110):** Complete and file this form if you alleged Doe defendants in the Complaint.

- **In the top box:** Enter your name, address, and phone number.
  - Write in Plaintiff, Defendant, and Case Number as they are written on the Complaint.
- **Section 1:**
  - Check box (a)(2), for “Without prejudice”.
  - Check box (b)(6) and write “Entire action and all causes of action as to Doe Defendants.”
- **Section 2:** Check the appropriate box to indicate whether the court waived fees when you filed your case.
- **Write the date, your name, and sign.**
  - Check the box for “Party without attorney” under your name if you are filing In Pro Per.
  - Under your signature, check the box for “Plaintiff/Petitioner.”
- **Top of page 2:** Write in Plaintiff, Defendant, and Case Number
- **Page 2:** Declaration concerning Waived Court Fees: Only complete this section if the court waived fees when you filed your case.

- At (1): Write your name
- At (2): Check the box at (a) if you have not recovered any monetary damages.
- **Write the date, your name, and sign.**
  - Check the box under your name stating “Party without attorney” if you are proceeding In Pro Per.

**Request for Entry of Default (CIV-100):** Each defendant must be mailed a copy of this completed form before it is filed (see Section 6).

- **In the top box:** Enter your name, address, and phone number.
  - Write in Plaintiff, Defendant, and Case Number as they are written on the Complaint.
- **Under the Case name:** Check the boxes for “Entry of Default” and “Clerk’s Judgment”
- **Section 1:**
  - At (a): Write the date you filed your Complaint.
  - At (b): Write the name of the person or persons who filed the Complaint.
  - At (c): Check the box and write in the name(s) of the defendant(s).
  - At (e): Check the boxes at (e), (e)(1), and (e)(2).
    - If you had the Sheriff or a process server serve the defendants with the **Prejudgment Claim of Right to Possession (CP 10.5)**, check the box beginning with “Include in the judgment all tenants ...”
- **Section 3:** check this box as it is an unlawful detainer case. Write the date, your name, and sign
- **Section 4: Unlawful Detainer Assistant:** If an unlawful detainer assistant helped you complete this form, check the appropriate box and add that person’s information at (a) through (f) if you received assistance.
- **Section 5: Declaration under CCP Section 585.5:**
  - Check the box at (5), and check the boxes for “is not” for (a), (b), and (c).
- **Section 6: Declaration of Mailing:** A person who is not a party to the action will need to mail a copy of the Request for Entry of Default to each of the defendants at the same address where they were served the Summons and Complaint.
  - Check the box at (b).
  - At (b)(1): Write the date that the form was mailed to the defendants
  - At (b)(2): Write in the defendants’ name(s) and last known address.
  - The person who mails the form will write the date, their name, and sign.
  - As indicated above, each defendant must be mailed a copy of this completed form before it is filed (see Section 6).
- **Section 7: Memorandum of Costs:** Write “0.00” for the total, write the date and your name, and then sign.
- **Section 8: Declaration of Military Status:**
  - If the defendant is active military, **STOP**. There are additional steps you must take to obtain a judgment against a defendant who is on active duty with the military.
  - If the defendant(s) are not active military, check the box that indicates how you know.
- **Bottom page 3:** Write the date, your name, and sign

### **Judgment- Unlawful Detainer (UD-110)**

- **In the top box:** Enter your name, address, and phone number.
  - Write in Plaintiff, Defendant, and Case Number as they are written on the Complaint.
- **Under “Judgment – Unlawful Detainer”:** Check the boxes for “By Clerk,” “By Default” and “Possession Only.”
- **Section 1. By Default:** Check boxes at (1), and (1)(d).
- **Top of Page 2:** Judgment is entered as follows by: Check the box for “The Clerk”.
- **Section 3. Parties:** At 3(a), write the names of plaintiff(s) and defendant(s).
- **Section 4. Party entitled to possession:** Write the address of the property and check box for “Plaintiff named in 3a”.
- **Section 5. Judgment Applies to:**
  - Check the box If you had the Sheriff or a process server serve the defendants with the **Prejudgment claim of Right to Possession (CP 10.5)**.
  - If you did not do this, you cannot evict unnamed occupants from the property with this judgment.
- **Section 6. Amount and terms of judgment:** Do not check anything on 6(a).
  - Check box (c) only if you indicated in the original notice that you would cancel or forfeit the lease.

### **Verification By Landlord Regarding Rental Assistance – Unlawful Detainer (UD-120)**

- **Note:** This form is used only if you are evicting the tenant for nonpayment of rent. If you are evicting the tenant for another reason, you do not need to file this form.
- **Section 1:** Write the landlord’s name here.
- **Bottom of page 1:** Write the date, your name, and sign.

### **Writ of Execution (EJ-130)**

- **In the top box:** Enter your name, address, and phone number.
  - Write in Plaintiff, Defendant, and Case Number as they are written on the Complaint.
- **Under the case name:** Check the box for “Possession” and “Real Property”.
- **Section 1:** Write “Tulare”
- **Section 3:** Write the name of the plaintiff (Judgment creditor)
- **Section 4:** Write the name and address of the judgment debtor (defendant).
  - If there are more than 2 defendants, check the box “Additional judgment debtors...”
- **Section 5:** Write in the date that the Judgment was entered. If you are requesting to enter default at the same time you are filing this, the clerk will write in the date.
- **Section 7:** Check box (a), indicating “Notice of Sale under this writ has not been requested.”
- **Section 9:** Check this box indicating Writ of Possession information on next page.
- **Section 21:** Check the box and write in the names and addresses of additional defendants.
- **Section 25. Writ of Possession:** Check this box
  - At (a), check this box and write in the date the complaint was filed.

- At (a)(1), check this box if you had the Sheriff or a process server serve the defendants with the **Prejudgment Claim of Right to Possession (CP 10.5)**. If not, check box (a)(2).
- At (e), check the box for “Below” and write in the address of the property.

## FILE THE DOCUMENTS

Return the original and one copy of each of your forms to the Visalia Courthouse, Clerk of the Court, located at 221 S. Mooney Blvd, Room 201, Visalia, CA 93291, or the South County Justice Center, Court Clerk’s window, located at 300 E. Olive Ave, Porterville, CA 93257. You will file:

- **Request for Dismissal (CIV-110)**
- **Request for Entry of Default (CIV-100)**
  - Note: Each defendant would have been served by mail before filing this form.
- **Judgment – Unlawful Detainer (UD-110)**
- **Verification By Landlord Regarding Rental Assistance – Unlawful Detainer (UD-120)**
  - Only file if you are requesting to evict for nonpayment of rent.
- **Writ of Execution (EJ-130)**
  - There is a fee to file the Writ of Execution. If you can’t afford the fee, you can ask for a fee waiver.

The Court clerk will process your forms and return your copies to you.

## SHERIFF WILL SERVE THE WRIT

You will need to have the Sheriff serve the Defendant(s) with the **Writ of Execution (EJ-130)**. The Sheriff’s Department is located at 221 S. Mooney Blvd., Room 102, County Civic Center, Visalia CA 93291. Contact the sheriff before going to their office to see what instructions they need from you, and to ask about a timeline on when they will execute service. There is a fee to serve the Writ, but the fee may be waived if you have a fee waiver on file.

The tenant will have five days to move out after they are served. If they don’t move, the sheriff will remove them from the home and lock them out.

Your tenant may have options for slowing down or stopping the eviction.

- If your tenant needs more time before moving out, they can file a motion for a stay of execution to ask the judge for some extra time before having to move out.
- If they missed the court date because of an emergency or feel they made a mistake, they can file a motion to set aside. This is asking the judge for a “do over” because of “mistake, inadvertence, or excusable neglect.”
- If they think the judge didn't follow the law, they can file an appeal. This is a request for a higher court to review the judge’s decision.

## NEXT STEPS: ASKING FOR MONEY DAMAGES

The court takes longer to process judgments asking for back rent. If you want your tenant to move out as quickly as possible, file the Clerk's Judgment for Possession first, as discussed above. You can ask for the money you're owed in a separate default money judgment. Contact an attorney or conduct self-research for how to obtain a judgment for money damages.

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
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	
<b>REQUEST FOR DISMISSAL</b>	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)

\* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

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)

† If item 1a(3) is checked, all parties must sign.  
 If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for the cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

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)

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):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
Plaintiff/Petitioner: Defendant/Respondent:	
<b>REQUEST FOR</b> <input type="checkbox"/> <b>Entry of Default</b> <input type="checkbox"/> <b>Clerk's Judgment</b> <b>(Application)</b> <input type="checkbox"/> <b>Court Judgment</b>	
CASE NUMBER:	
<b>Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.); (see form CIV-105)</b>	

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. <b>TOTALS</b> .....	\$	\$	\$	\$

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)

<b>FOR COURT USE ONLY</b>	(1) <input type="checkbox"/>	Default entered as requested on (date):	
	(2) <input type="checkbox"/>	Default NOT entered as requested (state reason):	
Clerk, by _____, Deputy			

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant  did  did **not** for compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state:
- |  |                            |
|--|----------------------------|
| a. Assistant's name:                   | c. Telephone no.:          |
| b. Street address, city, and zip code: | d. County of registration: |
|  | e. Registration no.:       |
|  | f. Expires on (date):      |

5.  **Declaration under Code Civ. Proc., § 585.5** (for entry of default under Code Civ. Proc., § 585(a)). This action
- |  |
|--|
| a. <input type="checkbox"/> is <input type="checkbox"/> is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).                 |
| b. <input type="checkbox"/> is <input type="checkbox"/> is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act). |
| c. <input type="checkbox"/> is <input type="checkbox"/> is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).                |

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was
- |   |  |
|---|--|
| a. <input type="checkbox"/> <b>not mailed</b> to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names):  |  |
| b. <input type="checkbox"/> <b>mailed</b> first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows: |  |
| (1) Mailed on (date):   | (2) To (specify names and addresses shown on the envelopes): |

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.  
Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)
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7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
- |  |          |
|--|----------|
| a. Clerk's filing fees .....   | \$       |
| b. Process server's fees.....  | \$       |
| c. Other (specify):  | \$       |
| d.   | \$       |
| e. <b>TOTAL</b> .....  | \$ _____ |
| f. <input type="checkbox"/> Costs and disbursements are waived.  |          |
| g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case. |          |

I declare under penalty of perjury under the laws of the State of California that the foregoing item 7 is true and correct.  
Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)
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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> ) : _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF:  DEFENDANT:	
<div style="text-align: center;"> <b>JUDGMENT—UNLAWFUL DETAINER</b> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"><input type="checkbox"/> By Clerk</div> <div style="text-align: center;"><input type="checkbox"/> By Default</div> <div style="text-align: center;"><input type="checkbox"/> After Court Trial</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"><input type="checkbox"/> By Court</div> <div style="text-align: center;"><input type="checkbox"/> Possession Only</div> <div style="text-align: center;"><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:

(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> ):	\$	
<b>(6) TOTAL JUDGMENT</b>		<b>\$</b>

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

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

(SEAL)

**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

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):	<b>FOR COURT USE ONLY</b>           CASE NUMBER:
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
<b>VERIFICATION BY LANDLORD REGARDING RENTAL ASSISTANCE—UNLAWFUL DETAINER</b>	

*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)





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.  other.

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


24.  Joint debtor was declared bound by the judgment (CCP 989–994)

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

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

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* was served in compliance with CCP 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 CCP 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 CCP 415.46 and 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 CCP 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 CCP 1174.3 on the following dates (*specify*):

*Item 25 continued on next page*

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 25c.

#### 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 CCP 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.