

SETTING AN UNLAWFUL DETAINER CASE (EVICTION) FOR TRIAL

It is up to you as a landlord to see if the tenant has responded to your eviction paperwork once the five-day response time has elapsed. If there is no Answer in the court file, you may request a Default Judgment in your case (ask the Legal Help Center for assistance with this.) If there is an Answer, and you wish to proceed, you may need to set your case for trial.

You will need these forms:

Request/Counter Request to Set Case for Trial (UD-150)

Notice of Time and Place of Trial (PLA-0077)

Step 1: Filling Out the Request

Request/Counter Request to Set Case for Trial (UD-150): Fill the front page out completely. Make a copy of the whole two-page document and hang on to the original. Have the copy served by mail on the tenant(s). Each tenant should receive his or her own mailed copy (see step #2).

Step 2: Serving the Request//Filling Out the Proof of Service

Have someone over the age of eighteen (someone you know or a process server) serve the papers on the other party(s) by putting them in the mail with adequate postage. The person who serves the papers on the other party(s) needs to fill out the proof of service on the back of the *original* UD-150, thus creating a UD-150 that has original signatures of the landlord and the process server.

Step 3: Filling Out the Notice of Time and Place of Trial

Fill out the caption (top part) of this document, and the name and address of each party required to appear, including you (bottom part). Make sure there are enough copies for all parties. You will also need to provide the court with stamped envelopes addressed to yourself and each tenant.

Step 4: Making Copies and Filing the Paperwork

Bring the original and copies of the UD-150 and the Notice of Time and Place of Trial to court for filing along with your self addressed stamped envelopes. File with the clerk of the court. The address is 10820 Justice Center Drive, PO Box 619072, Roseville, CA 95661.

The court will set a trial, which will be no later than 21 days after you turn in your Request. The court will mail out the Notice you provided, to you and the tenant(s), of this date.

GO TO YOUR COURT DATE !