



\$5.00

# Start an Unlawful Detainer (Eviction) Case

<b>What is this for?</b>	This packet contains the forms you need to fill out and file to start an unlawful detainer (eviction) case against a tenant(s). Before you start an eviction case, the tenant(s) must be served with a legally valid notice.
<b>Step 1: Give the tenant(s) “notice”</b>	Unlawful detainer (eviction) cases begin with some form of notice. It lets the tenant(s) know that you may be starting a lawsuit asking for a court order for them to move out. Examples of notice include a Three-Day Notice to Pay Rent or Quit, Three-Day Notice to Perform or Quit, or Thirty-, Sixty-, or Ninety-Day Notice.  For more information about different types of notices, visit <a href="https://selfhelp.courts.ca.gov/eviction-landlord/notice-types">https://selfhelp.courts.ca.gov/eviction-landlord/notice-types</a> .  You <u>must</u> serve the notice on the tenant(s) and allow the number of days the notice covers to pass <i>before</i> you can go to <b>Step 2</b> .
<b>Step 2: Fill out the forms</b>	<a href="#">Civil Case Cover Sheet</a> (CM-010) <a href="#">Summons-Unlawful Detainer</a> (SUM-130) <a href="#">Complaint-Unlawful Detainer</a> (UD-100) <a href="#">Plaintiff’s Mandatory Cover Sheet &amp; Supplemental Allegations</a> (UD-101) <a href="#">Notice of Restricted Access</a> (PL-CV002) [this is a local form]  Also include this form if people are living in the home who are <i>not</i> on the lease if you want them to move out, too: <a href="#">Prejudgment Claim of Right to Possession</a> (CP 10.5)
<b>Step 3: Make copies</b>	Take each form and make two (2) copies. Paperclip the <u>original</u> – do not staple. The copies may be stapled. Put the copies right behind each original.  Bring one business sized-envelope with one stamp for each tenant you are suing. The clerk will need this at the filing window.  Note: If you file electronically, copies and the envelope are not required (see Step 4).



<p><b>Step 4: File the forms</b></p> <p><b>eFiling</b></p> <p><b>Filing fee</b></p>	<p>Get a number ticket for “Civil” at the kiosk on the 1st floor of the Courthouse. File the forms with the clerk when your number is called. Note: if you are filing at the Historic Courthouse in Auburn or the Tahoe Courthouse, you do not need to get a ticket. The court will file-stamp all your forms and give you back the 2 copies. You will keep a filed copy for your records and have the other copy served on your tenant(s).</p> <p>Alternatively, the Court has the option to file electronically through its eFile Service. For filing and more information, please visit <a href="http://placer.courts.ca.gov">placer.courts.ca.gov</a> and select “eFiling” under the Online Services tab. This webpage contains instructions and FAQs to assist with the process. There is a service fee for eFiling paid to the third-party vendor and cannot be waived by the Court. Note: each form must be a separate PDF unless it contains attachments.</p> <p>There is a sliding scale filing fee for unlawful detainer actions:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"><u>Amount you are suing for:</u></td> <td style="text-align: center;"><u>Filing Fee is:</u></td> </tr> <tr> <td style="text-align: center;">\$0.00 to \$10,000</td> <td style="text-align: center;">\$240.00</td> </tr> <tr> <td style="text-align: center;">\$10,001 to \$35,000</td> <td style="text-align: center;">\$385.00</td> </tr> <tr> <td style="text-align: center;">\$35,001 and above</td> <td style="text-align: center;">\$435.00</td> </tr> </table> <p>The court accepts cash, check, Visa, MasterCard, AMEX and Discover Card. If you cannot afford to pay the filing fee, you may apply for a fee waiver by filling out and filing these forms:</p> <p><a href="#">Request to Waive Court Fees</a> (FW-001)  <a href="#">Order on Court Fee Waiver</a> (FW-003)</p>	<u>Amount you are suing for:</u>	<u>Filing Fee is:</u>	\$0.00 to \$10,000	\$240.00	\$10,001 to \$35,000	\$385.00	\$35,001 and above	\$435.00
<u>Amount you are suing for:</u>	<u>Filing Fee is:</u>								
\$0.00 to \$10,000	\$240.00								
\$10,001 to \$35,000	\$385.00								
\$35,001 and above	\$435.00								
<p><b>Step 5: Serve the tenant(s)</b></p>	<p>You must have a copy of your filed forms handed (“personally served”) to each tenant, along with a blank <a href="#">Answer-Unlawful Detainer</a> (UD-105).</p> <p>If you are evicting more than one tenant, make additional copies of the filed forms so they can be served, too. Each tenant must be served a separate set of copies.</p> <p>The person who serves the forms on the tenant(s) must fill out a separate <a href="#">Proof of Service of Summons</a> (POS-010) form for each tenant who you have listed on your Complaint and other people who live in the home who you want to evict.</p>								
<p><b>Step 6: File the Proof of Service</b></p>	<p>Make one (1) copy of each Proof of Service of Summons (POS-010) and take a number ticket for “Civil” at the kiosk on the 1<sup>st</sup> floor of the courthouse to file the original(s) and copy(ies). See Step 4 above for filing instructions.</p>								



### Next steps:

Once you have served all tenants with the filed forms in this case, you must wait at least five court days for them to file an Answer with the court. The five court days begins the day *after* the tenant has been handed the forms. Once the five court days have passed, please make an appointment at the Self-Help Center or with a private attorney to move your case to the next step.

## Important Things to Know

### Can I Access My Court Case Electronically?

Court users can now receive access to their file/orders electronically by three different methods:

Online Portal: You can come to the courthouse and show ID to gain access;

eFiling: If you check the box on eFiling, you will receive your orders via email; you will also receive portal access if you pay for a filing (so you do not need to come into the courthouse to show ID);

eService: You may consent to receive notice and orders by email. This can be done by submitting Judicial Council Form [EFS-005-CV](#).

### Where can I get the forms?

- Most of the blank forms listed in these instructions can be found **online** at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). The Local Form (Placer County) can be found at <http://www.placer.courts.ca.gov/forms-filing-forms.shtml>.
- You can get the form packets through the court's **Self-Help Center** or you can buy them at the **Court Clerk's counter**.

### Where can I get help or more information?

- You can hire a private attorney for a free or low-cost consultation.
- If you do not have an attorney, you can get help from the court's Self-Help Center. Schedule a telephone or video appointment online at [www.placer.courts.ca.gov](http://www.placer.courts.ca.gov) and search for **online appointments** on the home page.
- Visit [www.courts.ca.gov](http://www.courts.ca.gov)
  - Click "Self-Help" on the tabs and select "Eviction & Housing" in the dropdown menu.
- Visit **Housing is Key** at <https://housing.ca.gov/>
  - This website contains information and resources for both landlords and tenants to help both parties understand their rights and protections during the eviction process.
- If you would like to attempt to settle the case (make an agreement) outside of court, you may contact **Placer Dispute Resolution** at <https://www.placerdisputeresolution.org/> for more information. This can be done before or after a case has been opened.