

LRC Research Training

# Housing Rights Clinic Spring 2026

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# Secondary Sources

# Westlaw: Practice Guides

- [Landlord-Tenant \(Rutter Guide\)](#)
- [California Fair Housing & Public Accommodations \(Rutter Guide\)](#)
- [Housing Discrimination Law & Litigation](#)
- [Housing Discrimination Practice Manual](#)



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# Landlord-Tenant (The Rutter Group, California Practice Guide)

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## D. Answer to Unlawful Detainer Complaint

[↓ Related documents](#)

CALANDTEN CH 8-D • California Practice Guide—Landlord-Tenant • Unlawful Detainer Litigation: Pretrial Matters • (Approx. 77 pages)

### Document

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## D. Answer to Unlawful Detainer Complaint

↪ [8:262] **PRACTICE POINTER RE JUDICIAL COUNCIL FORM ANSWERS:** As with the complaint (¶ 8:23), the Judicial Council has approved for optional use a form Answer for unlawful detainer proceedings (Judicial Council form UD-105). [CCP § 425.12]

- **FORM:** Judicial Council Form Answer—Unlawful Detainer (UD-105), available on the California Courts website ([www.courts.ca.gov](http://www.courts.ca.gov)).

The form is particularly easy to use in routine residential unlawful detainers (particularly when the landlord filed the case on the Judicial Council form UD complaint (UD-100), ¶ 8:23). But ease of use may also lend itself to careless pleading. Keep in mind that form pleadings do not excuse compliance with normal pleading rules (see ¶ 8:23 re Judicial Council form complaint). When you answer by the UD-105 form, be sure your denials are properly made (by checking appropriate box at item “2”) and that your affirmative defenses are properly alleged (by checking the appropriate box or boxes at item “3” and supplying the necessary factual allegations). Where necessary, attachment pages may have to be added, or modifications interlineated, to account for items not addressed by the form.

### 1. Filing Requirements

a. [8:263] **General 10-day deadline:** Ordinarily, the tenant’s response is due within *10 days* after service of the unlawful detainer summons and complaint. The 10-day period *excludes* Saturdays, Sundays and other court holidays. [CCP § 1167(a) (amended Stats. 2024, Ch. 512; eff. 1/1/25)]

Thus, an answer to the unlawful detainer complaint must be filed within this 10-day period unless, before expiration of the 10 days, the tenant has filed some other authorized responsive pleading that temporarily excuses the duty to answer (motion to quash, demurrer, motion to strike, etc., as discussed at ¶ 8:145 ff.) or where



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## California Fair Housing & Public Accommodations (The Rutter Group, Civil Litigation Series)

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## Housing Discrimination Practice Manual

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# Westlaw: Other Sources

- [CalJur](#) (also on [Lexis](#))
  - Volumes on [Landlord and Tenant and Mobile Homes and Trailer Parks](#)
- [AmJur](#) (also on [Lexis](#))
  - Volumes on [Landlord and Tenant, Mobile Homes and Trailer Parks, and Housing Laws and Urban Redevelopment](#)
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# Mobile Homes

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§ 7. Financing and foreclosure of mobile and manufactured homes

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## III. ACCOMMODATING SPECIAL NEEDS OF PARTIES TO ACTION

### §10.8 A. Court Fee Waivers; In Forma Pauperis Procedures

The procedures for obtaining a waiver of court fees for indigent defendants are in [Govt C §§68630–68641](#). The Judicial Council adopted supplemental rules that govern fee waivers in [Cal Rules of Ct 3.50–3.58](#) (trial courts), 8.26, 8.818 (appellate courts). Legislative findings and declarations supporting the standards for waiver of court costs and fees are stated in [Govt C §68630](#). Under [Govt C §68632](#), the class of eligible parties for waiver of court fees and costs includes the following:

- Parties receiving benefits under
  - Supplemental Security Income (SSI);
  - State Supplemental Payments (SSP);
  - California Work Opportunity and Responsibility to Kids (CalWORKs) program;
  - Tribal Temporary Assistance for Needy Families (Tribal TANF) grant program;
  - Federal supplemental nutrition assistance or California food assistance program;
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APPENDIX C Sample Notice to Perform Covenant or Quit

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APPENDIX F Notice of Right to Request Inspection of Premises and to Reclaim Abandoned Property

APPENDIX G Sample Declaration Supporting Default Judgment (Attorney Prepared)

## VI. After Tenant Responds

Handling Unlawful Detainers



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### STEP 26. Set Case for Trial

#### REQUEST TRIAL SETTING

##### Use Mandatory Form

The Judicial Council adopted a mandatory form for requesting trial date; see Request/Counter-Request to Set Case for Trial—Unlawful Detainer (Judicial Council Form UD-150) (available at <https://courts.ca.gov/sites/default/files/courts/default/2024-11/ud150.pdf>).

There is also a mandatory coversheet: Plaintiff's Mandatory Cover Sheet and Supplemental Allegations—Unlawful Detainer (Judicial Council Form UD-101) and Verification by Landlord Regarding Rental Assistance—Unlawful Detainer (Judicial Council Form UD-120). It is wise to check the Judicial Council website for the updated forms (available at <https://courts.ca.gov/rules-forms/court-forms>).

**NOTE** ▶ For good cause, a motion may be made to advance, specially set, or reset a trial date (Cal Rules of Ct 3.1335) or for a continuance (Cal Rules of Ct 3.1332). The grounds for finding good cause are given in Cal Rules of Ct 3.1332(c)–(d). Extensions of unlawful detainer trial dates are strictly limited by CCP §1170.5(c), which requires a hearing. The court may order tenant to pay rent into court as a condition to the court's granting an extension.

##### 20-Day Rule

Be aware that if tenant has appeared, trial must be held no more than 20 days after landlord files request to set. CCP §§1170.5, 1179a.

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## §6.20 III. MOBILEHOME PARKS

The Mobilehome Parks Act ([Health & S C §§18200–18712](#)) provides that any person may file an application with local authorities for a conditional use permit for a manufactured home, a mobilehome, or a mobilehome park. A public hearing is required. [Health & S C §18300.1](#). An installation permit is required whenever a mobilehome is used for human habitation. [Health & S C §18613](#). Moreover, a mobilehome park must, subject to a use permit, be allowed on any land zoned residential in a local government's general plan. [Govt C §65852.7](#).

Cities and counties may not apply development standards that would preclude mobilehomes as permanent residences. Similarly, local agencies may not discriminate against mobilehomes that meet federal standards by imposing different development standards than those applicable to conventional single-family residences. [Govt C §§65852.3–65852.4](#).

Before a mobilehome park may be converted to another use, the owner or local agency proposing the change must prepare a report on the impact of the change on displaced residents. [Govt C §66427.4\(a\)](#). The report must address the availability of adequate replacement housing in mobilehome parks and relocation costs. [Govt C §66427.4\(a\)](#). The impact report must be filed with the local legislative body and made available to the residents of the mobilehome park. The local agency may impose conditions on the conversion to mitigate any adverse impact on the ability of displaced residents to locate adequate space in the same or another park. [Govt C §65863.7](#). Mobilehome parks and "manufactured homes" are also subject to regulation under California's Mobilehome Residency Law ([CC §§798–799.12](#)) and the Subdivision Map Act ([Govt C §§66410–66499.41](#)), as well as to the federal requirements found at 42 USC §§5401–5426. See also *Keh v Walters* (1997) 55 CA4th 1522 ("change in use"



# Matthew Bender (R) Practice Guide: California Landlord-Tenant Litigation

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# Procedural Practice Guides

- Westlaw
  - Civil Procedure Before Trial (Rutter Group)
  - California Civil Practice - Procedure
- CEB
  - California Civil Procedure Before Trial
  - California Civil Discovery Practice
- Lexis
  - California Pretrial Civil Procedure Practice Guide (Wagstaffe Group)

# Government Websites

# State of California

- CA Business, Consumer Services and Housing Agency (BCSH)
- CA Dept. of Housing & Community Development
- CA Housing Finance Agency
- CA Civil Rights Department
- CA Department of Real Estate Publications



## Homekey+ — a place to live and thrive

Learn about HCD's new program that will help build more permanent supportive homes for veterans and residents in need.

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### Homekey

Funding to acquire or rehabilitate buildings and create housing for people experiencing or at-risk of homelessness.



### Statewide Housing Plan

Interactive report that lays out a vision to ensure every Californian has a safe, stable, affordable home.



### Accessory Dwelling Units

An innovative and effective option for adding affordable housing in California.



### Housing Open Data Tools

Learn about and track progress on homelessness and the planning and construction of safe, affordable homes.

## Mobilehome Owner & Park Services

Visit our [Codes & Standards Online Services](#) to access all online services, such as mobilehome and manufactured home registration and titling transfers, permits, complaints, [pay fees or submit a payment](#), and more.



**Renew/Amend  
My Park Permit to  
Operate**



**Renew My  
Registration**



**Buy, Sell, or Transfer  
Instructions**



**Mobilehome  
Assistance Center**



**Mobilehome  
Residency Law  
Protection Program**

For additional Mobilehome Owner & Park Services, view our [Quick Links](#) >



# Mobilehome Residency Law Protection Program

Helping to resolve certain disputes between mobilehome/manufactured homeowners in mobilehome parks and park owners/management.

Sometimes, in mobilehome parks, disputes can arise between mobilehome/manufactured homeowners and park management. To help resolve some of these disputes, California created the Mobilehome Residency Law Protection Program (MRLPP) through the Mobilehome Residency Law Protection Act of 2018, Assembly Bill 3066 (Chapter 774, Statutes of 2018).

The MRLPP was originally scheduled to end on January 1, 2024. [Assembly Bill 318 \(Chapter 736, Statutes of 2023\)](#) extended the program ending date to January 1, 2027.

[MRLPP Information for Mobilehome / Manufactured Homeowners in Mobilehome Parks](#) 

[MRLPP Information for Park Owners / Operators](#) 

[MRLPP Laws and Regulations](#) 

[Helpful Information, Forms, and Resources](#) 

## Mobilehome Assistance Center


[Mobilehome Residency Law Protection Program](#)

[Your Rights as a Mobilehome Park Resident](#)

[How to Submit a Complaint](#)

## Contact the MRLPP

(800) 952-8356

[Email us or send us a question/comment](#) 

## Related Links

[Submit a complaint online](#) 


[Assembly Bill 3066](#) 

[Assembly Bill 318](#) 

## Resources

[MRLPP Flyer \(PDF\)](#)

[Folleto de MRLPP \(PDF\)](#)

[Mobilehome Residency Law Handbook \(PDF\)](#) 

[Information Bulletin 2018-03 \(PDF\)](#)



# Housing Discrimination

The California Civil Rights Department (CRD) is responsible for enforcing state fair housing laws that make it illegal to discriminate against or harass someone because of a protected characteristic, such as their gender, race, national origin, sexual orientation, gender identity, or religion. (For a complete list of protected characteristics, see the section below titled "Protected Characteristics"). The law also requires reasonable accommodations for disabilities and prohibits retaliation against someone for exercising their rights. The law applies to landlords, tenant screening companies, property management companies, real estate agents, home sellers, builders, mortgage lenders, housing authorities, and others. The law applies to all aspects of housing and housing-related services, such as renting, leasing, sales, new construction, mortgage lending, insurance, municipal services, shelters, advertising, and restrictive covenants. Additionally, it is unlawful for cities, counties, or any local government agency to make zoning, land-use decisions, or policies that discriminate based on a protected characteristic.

What Discrimination Looks Like

Protected Characteristics

Available Remedies

Complaint Process

## WHAT DISCRIMINATION LOOKS LIKE

California's Fair Employment and Housing Act (also known as FEHA) applies to most providers of housing and services related to housing such as landlords, tenant screening companies, real estate agents, home sellers, builders, mortgage lenders, and housing authorities. This law prohibits people or entities that provide housing from discriminating against or harassing tenants, homeowners, residents, their guests, housing or mortgage applicants, home buyers, and others. In addition, another law, the Unruh Civil Rights Act, applies to housing providers that qualify as a business establishment from discriminating against customers on the basis of protected characteristics.

Examples of actions that could be discriminatory if based on a person's protected characteristic:

- Refusal to sell, rent, or lease rooms, apartments, mobile homes, condos, or houses
Refusal to negotiate for the sale, rental, or lease of housing
Informing someone that an apartment is not available for inspection, sale, or rental when it is in fact available
Denial of a home loan or homeowner's insurance
Cancellation or termination of a sale or rental agreement
Refusal to permit, at a disabled tenant's expense, reasonable modifications - such as

# Complaint Process

When someone files a discrimination complaint, CRD evaluates the facts and decides whether to accept the case for investigation. If it accepts the case, CRD independently investigates the facts and the legal issues. This involves reviewing respondents' responses to complaints and other information and evidence that complainants and respondents submit, among other things. CRD attempts to resolve the dispute in appropriate cases. CRD may also decide to take legal action.



**File a  
Complaint**



**Intake  
Interview  
Materials**



**Respond to a  
Complaint**



**Possible  
Outcomes**

## FILE A COMPLAINT

— The First Steps:

If you feel you were the victim of discrimination, CRD is available to investigate and help settle your complaint. To begin this process, gather the information listed below and file an intake form in one of three ways:

- Online by creating an account and using our interactive [Cal Civil Rights System](#), [CCRS](#)
- By mail using a printable [intake form](#)
- By calling using information on our [contact us](#) page

If you decide to use the CRD investigation process, you will need to gather the following:

- The specific facts and any records about the incident(s), including the name and contact information of the person or entity you believe harmed you (if known);
- Copies of any documents or other evidence related to your complaint; and
- The names and contact information of any witnesses (if known).

In employment cases, you must do this within three years of the date you were harmed. In most other cases, you must do this within one year of the date you were harmed. In employment cases only, you must obtain from CRD a Right-to-Sue notice before filing your own lawsuit in court. If you would prefer not to use the CRD investigation process, and instead file your own



- ▶ [California Tenants - A Guide To Residential Tenants' and Landlords' Rights and Responsibilities #RE 26 \(New 2024\)](#)
  - ▶ [En Español](#)
- ▶ [Know Your Housing Rights Fact Sheet](#)
- ▶ [Quick Guide for Landlords Hiring a Property Manager](#) Landlord Brochure 14-264
- ▶ [Quick Guide for Tenants Renting a Home](#) Tenant Brochure 14-264

The DRE releases two new brochures to help Landlords and Tenants avoid fraud. The quick guides help consumers ask the right questions to avoid falling victim to rental and property management fraud.

- ▶ [A Consumer Guide to Filing Real Estate Complaints #RE 51 \(Rev. 3/14\)](#)  
Explains the Department's complaint process.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [A Consumer Guide to Mortgage-Related Complaints #RE 20 \(Rev. 3/14\)](#)  
Provides basic information about loan servicers, lenders, mortgage brokers, complaints, and contacts.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [A Guide for Residents Purchasing Their Mobilehome Park #RE 34 \(Rev. 11/01\)](#)  
Answers questions about rental park conversions to resident ownership.
- ▶ [A Homeowner's Guide to Foreclosure in California #RE 15 \(New 11/20\)](#)  
Useful information for homeowners in financial distress who live in their homes.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [Department of Real Estate Brochure #RE 10](#)  
Provides an overview of the Department of Real Estate, including history, department objectives, program areas and office locations.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [Financial Sense to White Picket Fence #RE 18](#)  
This brochure provides helpful hints and tips relating to real estate financial literacy.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [Finding the Right Real Estate Agent: What You Should Do #RE 16 \(Rev 2/16\)](#)  
Provides a checklist for hiring a real estate agent.
  - ▶ [En Español](#)    ▶ [In Chinese](#)
- ▶ [Foreclosure Information for Homeowners #RE 14](#)  
Explains the foreclosure process and possible alternatives to foreclosure.

# City of San Diego

- [San Diego Housing Commission](#)
  - [Help With Your Rent \(Housing Instability Prevention Program, Section 8, and more\)](#)
  - [Affordable Rentals \(Resource Guide and Housing Search Tool\)](#)
  - [City of San Diego Residential Tenant Protections](#)



# Housing Opportunities

[HELP WITH YOUR RENT](#)[CHOICE COMMUNITIES  
INITIATIVE](#)[PATH TO SUCCESS](#)[AFFORDABLE RENTALS](#)[FIRST-TIME HOMEBUYERS](#)[HOMEOWNERSHIP EQUITY  
PROJECT](#)[AFFORDABLE FOR-SALE  
HOUSING](#)[LOAN SERVICING](#)[SINGLE-ROOM OCCUPANCY  
UNITS](#)[ACCESSORY DWELLING UNITS  
\(ADUS\)](#)

The City of San Diego (City) provides protections for residential tenants facing potential eviction. These protections include help to relocate to a different residence if a tenant is evicted, in certain circumstances. Strong protections for residential renters are intended to help prevent homelessness and to promote housing and neighborhood stability. City law includes these protections.

San Diego City Council President Sean Elo-Rivera and Mayor Todd Gloria proposed the City of San Diego Residential Tenant Protections Ordinance. The San Diego City Council adopted the ordinance (No. O-21647) on May 16, 2023. San Diego Mayor Todd Gloria signed the adopted ordinance on May 25, 2023. This City law went into effect on June 24, 2023. It is now San Diego Municipal Code sections 98.0701 through 98.0709.

Under this City law, the City of San Diego is responsible for oversight of the ordinance.

The ordinance requires the San Diego Housing Commission (SDHC) to create a Tenant Protection Guide. This guide provides educational information and resources to help residential tenants understand their rights under City and State law. **It is for informational purposes only. The Tenant Protection Guide does not provide legal advice or direction. Residential renters and landlords should consult with their own, respective legal representatives or advisors.**

This guide will be updated, as needed.

## Resources

- [City of San Diego Tenant Protection Guide](#)
- [City of San Diego Tenant Protection Guide \(Spanish\)](#)
- [City of San Diego Tenant Protection Guide \(Amharic\)](#)
- [City of San Diego Tenant Protection Guide \(Arabic\)](#)
- [City of San Diego Tenant Protection Guide \(Somali\)](#)
- [City of San Diego Tenant Protection Guide \(Tagalog\)](#)
- [City of San Diego Tenant Protection Guide \(Traditional Chinese\)](#)
- [City of San Diego Tenant Protection Guide \(Vietnamese\)](#)
- [City of San Diego Tenant Protection Guide \(Farsi\)](#)
- [City of San Diego Tenant Protection Guide \(Korean\)](#)
- [City of San Diego Residential Tenant Protections Ordinance](#)



# San Diego County

- Housing & Community Development Services
  - Rental Assistance Application (Section 8)
  - Rental Assistance Recipients Tools & Information
  - Rental Assistance and Affordable Housing Directory

# Local/Municipal Codes

# What are local/municipal codes?

- Created by local governing bodies, e.g. County Board of Supervisors, City Council
- Various names: codes, ordinances, bylaws, measures
- Have the force and effect of law; can't conflict with state law

# Sources of Municipal Codes

- No comprehensive e.g., limited content in Lexis and Westlaw
- Municipal code publishers:
  - American Legal Publishing
  - General Code
  - Municode
  - Individual municipalities (e.g., City of San Diego)

## Welcome to American Legal Publishing's Code Library!

To view a code, choose a state from the list below, then click on the name of the appropriate municipality.

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## Search

Keyword Search

 Save Search

 Search


 Clear Search

 Advanced Filters


Show Document Excerpts

Search


## Advanced Filters

 [Search syntax help](#)

Select locations to search

 All locations ▾

Select code version to search

 Version search not available with multiple locations

Select ordering method

Most Relevant ▾

Select document types to include

All ▾

Show document excerpts in the results list

Medium ▾

Find alternate word forms (stemming)

Find synonyms (thesaurus)

### Search for documents containing:

Search heading only

Heading

All of these words

Required words

None of these words

Exclude words

One or more of these words

One or more of these words

This exact phrase

Exact phrase

These words near each other

Word proximity

# Office of the City Clerk

City Clerk Home

About Us

Official City Documents

Lobbying, Campaign & Economic Interests

City Elections

City Boards & Commissions

Records Management and Archives

Digital Archives

## Municipal Code

What is the Municipal Code?



Find a Municipal Code:

Search

## Municipal Code by Chapter

[Chapter 01, General Provisions](#)

[Chapter 02, Government](#)

[Chapter 03, Business Regulations, Business Taxes, Permits and Licenses](#)

[Chapter 04, Health and Sanitation](#)

[Chapter 05, Public Safety, Morals and Welfare](#)

[Chapter 06, Public Works and Property; Public Improvement and Assessment Proceedings](#)

[Chapter 07, Public Utilities and Transportation](#)

[Chapter 08, Traffic and Vehicles](#)

[Chapter 09, Building, Housing and Sign Regulations](#)

## Official City Documents

- [Official City Documents Home](#)

City Charter

Municipal Code

Council Policies

 [City Clerk Administrative Guidelines](#)

Legal Opinions

Memoranda of Law

Reports to City Council

Resolutions and Ordinances

Feedback

## Need help?

Call City Clerk at 619-533-4000

# Databases

# Practical Law & Practical Guidance

- Practical Law available through Westlaw; Practical Guidance available through Lexis
- Legal know-how for transactional and litigation matters
- Practice area overviews
- Model documents with drafting and practice tips



Westlaw Advantage

Use the new homepage New

**Practical Law**

CoCounsel

Drafting Assistant

Westlaw Today

lawschool.tr.com

TWEN

Westlaw Form Builder

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COVID-19 Legal Materials & News

Business Law Center

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Court Wire Alerts Archive

Everything ...

All State & Federal



Parallel Search >  
Advanced >



Practical Law

Regulations

Secondary Sources

Statutes



Content types

Federal materials

State materials

Practice areas

My content

Tools



**Practical Law**

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Administrative Decisions & Guidance

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Dockets

General Counsel Resources

Intellectual Property

International Materials

Briefs

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Forms

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Litigation Analytics

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News

Profiler

Key Numbers

Proposed & Adopted Regulations

Proposed & Enacted Legislation

Trial Court Documents

Trial Transcripts & Oral Arguments

Sample Agreements

Key Features



AI Deep Research

New



Litigation Document Analyzer

New



Know Your Judge - Federal

New



Claims Explorer

New

# ☆ US Home

Search all Practical Law above or navigate to specific content below.

Practice Areas Sectors Resource Types Jurisdictions

- Antitrust
- Arbitration
- Bankruptcy & Restructuring
- Capital Markets & Corporate Governance
- Commercial Transactions
- Corporate and M&A
- Data Privacy & Cybersecurity
- Employee Benefits & Executive Compensation
- Finance

- Government Practice: Federal
- Government Practice: State & Local
- Health Care
- Intellectual Property & Technology
- Labor & Employment
- Litigation**
- Real Estate**
- Trusts & Estates

- Cross-Practice Collections
- Startups & Small Businesses

## Law School Resource Center

Collections of Practical Law resources for law students and new attorneys.

- Course Study Collections
- Professional Development & Responsibility

View All



## Search & Summarize Practical Law

Boost your research with AI-assisted answers to legal questions with links to Practical Law resources.

Access Now

## AI Resource Center New

Resources designed to help organizations and their counsel identify potential legal issues concerning AI.

Access Now

## Career Services & Job Preparation

A collection of resources to help law students navigate their career paths.

Access Now

## 1L Resources

Resources to help first-year law students navigate their first year and other aspects of law school.

Access Now

## Clinics

Resources to help law students and clinical faculty prepare to practice in both transactional and litigation clinics.

Access Now

## Quick Compare

Build customizable charts comparing legal requirements across multiple jurisdictions at a



## What's Market

Search, review, and compare summaries of



## SEC Filings & Precedents New

Access registration statements, periodic reports,

# Real Estate

Search all Real Estate above or navigate to specific content below.

Topics Resource Types Jurisdictions

- Commercial Finance
- Commercial Leasing
- Commercial Ownership
- Residential Finance
- Residential Leasing**
- Residential Ownership
- Construction
- Real Estate in Corporate Transactions

## State Q&A

State-specific resources and comparison tools on a variety of topics, including finance, ownership, leases, construction, and more. Examples include:

- Construction Laws and Customs
- Real Estate Finance
- Real Estate Leasing
- Real Estate Ownership

[View All](#)



**State Q&A**  
State-specific Real Estate resources and comparison tools.

[Access Now](#)

**Quick Compare**  
Quickly discover, review and compare information across multiple jurisdictions.

[Access Now](#)

**Practical Law Automated Documents**  
Create custom documents using our Practical Law questionnaires, powered by Contract Express.

[Access Now](#)

**Email Updates**  
Choose which legal update emails you want to receive and how often.

[View and Edit Email Preferences](#)

**Additional Resources**  
Glossary  
What's New  
Practice Area Essentials  
Global Guides and Cross-Border Topics

## Recent Real Estate Updates

### CARB Posts Draft Checklist for Developing Climate-related Financial Risk Reports

1/2025

The California Air Resources Board (CARB) posted a draft checklist to assist covered entities with preparing their biennial climate-related financial risk reports, as required under SR 261. Initial reports are due on January 1, 2026.

Filter

Select multiple

Apply

Resource Type

Narrow Resource Type

- Practice note: overview 2
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- Standard documents 55
- Standard clauses 1
- Checklists 12
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- Help and information notes 1
- Video and audio 1

Jurisdiction

Home > Real Estate > Residential Leasing

Residential Leasing (284)

1 - 100 >

Sort: Resource Type



Select all items • No items selected

Practice note: overview

- > 1. **Electronic Signatures, Recording, and Notarization Laws for Real Estate Transactions: Overview**  
Practice note: overview • Maintained • National/Federal
- > 2. **Road Map to the Consolidated Appropriations Act, 2021**  
Practice note: overview • Law stated as of 05-Dec-2023 • National/Federal

Practice notes

- > 3. **Chicago's Cooling Ordinance (Residential and Commercial Real Estate) (IL)**  
Practice notes • Maintained • Illinois
- > 4. **Commercial and Residential Evictions: Pre-Filing Procedures from Grounds for Possession Through Serving Required Notices (MN)**  
Practice notes • Law stated as of 11-Jan-2024 • Minnesota
- > 5. **Commercial and Residential Evictions: Filing a Complaint Through Possession (MN)**  
Practice notes • Law stated as of 30-Dec-2024 • Minnesota
- > 6. **Commercial and Residential Eviction Procedures (TX)**  
Practice notes • Maintained • Texas
- > 7. **COVID-19: Select State and Local Short-Term Rental Restrictions Tracker (US)**  
Practice notes • Law stated as of 12-Jul-2021 • California, Florida... Show all Jurisdictions





# What task would you like to accomplish today?

Search practice notes, templates, clauses, articles and checklists

All Practice Areas

All Jurisdictions



## Practice Areas

Antitrust

Bankruptcy

Business Entities

Capital Markets & Corporate Governance

Civil Litigation

Commercial Transactions

Construction

Corporate and M&A

Criminal Law

Data Security & Privacy

Employee Benefits & Executive Compensation

Federal Government

Finance

Financial Services Regulation

Healthcare

In-House Advisor

Insurance

Intellectual Property & Technology

Labor & Employment

Life Sciences

Private Equity & Investment Management

Real Estate

## Tools & Resources



View All Market Standards



State Law Comparison Tool



Practice Videos



Automated Templates



Resource Kits

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Enter search terms...

Real Estate



### Topics & Tasks

[Trends & Insights](#)

[Commercial Purchase and Sales](#)

[Hotel Acquisition and Disposition](#)

[Title and Survey](#)

[Joint Ventures](#)

[Commercial Leasing](#)

[Ground Leasing](#)

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[Residential Transactions](#)

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[Real Estate Investment Trusts](#)

[Corporate Transactions](#)

[International Considerations](#)

### Tools & Resources

[View All](#)



Trackers



Automated  
Templates



State Law  
Comparison  
Tool

### Resource Kits [View All](#)

[Construction Resource Kit](#)

[Purchasing and Selling  
Commercial Real Estate  
Resource Kit](#)

[First Year Associate  
Resource Kit: Real Estate](#)



Home > Real Estate > Residential Transactions

## Residential Transactions

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### Narrow By

California

[Clear](#)

#### Task

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### Practice Notes (45)



Sort by:

1. [California Environmental Quality Act Review and Environmental Considerations](#)

Jurisdiction: California

2. [California's Subdivision Map Act](#)

Jurisdiction: California

3. [Choice of Ownership Structure of Real Property \(CA\)](#)

Jurisdiction: California

4. [Climate Change Legislation Tracker \(Real Estate\) \(CA\)](#)

Jurisdiction: California

5. [Common Interest Ownership in Real Property State Law Survey](#)

Jurisdiction: Nevada, North Dakota, South Carolina...

6. [Discrimination in Residential Mortgage Lending State Law Survey](#)

Jurisdiction: Nevada, North Dakota, South Carolina...

7. [Eviction Resource Kit \(CA\)](#)

Jurisdiction: California

8. [Eviction, Unlawful Detainer, and Tenant Protections State Law Survey](#)

# Generative (Gen) AI

# Considerations for Using Gen AI in Practice

- Confidentiality
- Employer (Clinic) policies
- Court rules
- Ethical guidance

# Confidentiality

- Lawyers have a duty to keep client information confidential.
- Some tools promise greater data protection and confidentiality than others, so make sure to investigate a tool's policies before using it.
  - Lexis and Westlaw claim that academic users receive the same data protections, but this is not backed up by the strong contractual protections firms can negotiate.
  - Generally available tools like ChatGPT offer less protection, so be particularly cautious with them.
- Avoid putting confidential client information into any AI tool.

# Employer (Clinic) Policies

- Always follow your employer's (the clinic's) policies on the use of gen AI and other technology.
  - Confidentiality and other legal ethics considerations
  - Client preferences
- When in doubt, ask first!

# Court Rules

- Some courts and individual judges have rules or standing orders governing the use of gen AI in creating court filings.
  - Even when the clinic’s policy would allow the use of gen AI tools, make sure to check whether the court and/or judge allows the use.
- Lawyers continue to be sanctioned and disciplined for including hallucinated cases in court filings, so be sure to verify all citations.
  - For several examples, see Frank Young, *When AI Hallucinates Courts Hammer Attorneys*, RIPS Law Librarian Blog (Feb. 28, 2025), <https://ripslawlibrarian.wordpress.com/2025/02/28/when-ai-hallucinates-courts-hammer-attorneys/>.

# Ethical Guidance

- [ABA Comm. on Ethics & Pro. Resp., Formal Op. 512 \(2024\) \(discussing generative artificial intelligence tools\).](#)
  - Discusses competence, confidentiality, communication, interactions with the court, supervision, and fees.
- [Recommendations from Comm. on Pro. Resp. and Conduct on Regul. of Use of Generative AI by Licensees to the State Bar of Cal. Bd. of Tr. \(Nov. 16, 2023\).](#)
  - Discusses similar and additional topics as the ABA.

# When to Use Gen AI Tools in Legal Research

- There's no "right time," just wrong ways.
  - Use a tool appropriate for the task.
  - Critically evaluate all AI-generated content.
  - Follow all relevant laws, rules, and instructions.
  - Always use citator on newly discovered primary law sources.

# Gen AI Research Tasks

Find	Learn/Investigate	Create/Synthesize/Summarize
<ul style="list-style-type: none"><li>• Find some starting cases on a topic</li><li>• Find cases matching query</li></ul>	<ul style="list-style-type: none"><li>• Learn about an area of law</li><li>• Identify the most relevant, timely, &amp; authoritative cases</li><li>• Ensure there is no authority going the other way</li><li>• Identify the relevant rule(s)</li></ul>	<ul style="list-style-type: none"><li>• Ensure you've found all cases on point</li><li>• Summarize the leading authorities</li><li>• Prune tangential authorities</li><li>• Harmonize authorities</li><li>• Reconcile authorities in conflict</li></ul>

Adapted from Rebecca Fordon, Cindy Guyer & Adam Lederer, From AND/OR to AI: Techniques for Prompting Generative AI Tools (May 21, 2024).

# Gen AI Writing Tasks

- Catching typos and grammar errors
  - But not for Bluebooking
- Modifying tone
- Brainstorming
- Summarizing specific, discrete pieces of text
- Creating first drafts

# Considerations for Effective Use of a Gen AI Tool

- **R: Role** (assigning a role to the AI)
  - Legal AI tools like Lexis Protégé and Westlaw AI Assisted Research typically have the role of “legal practitioner” built into the programming of the tool
- **I: Instructions** (specific tasks for the AI)
- **C: Context** (providing necessary background info)
- **E: Expectations** (clarifying desired outcomes)
  - Constraints/formatting the response should follow
  - Jurisdiction

Sarah Gotschall, *A Legal Research Prompting Guide and Generative AI System Comparison Exercise*, AI LAW LIBRARIANS (July 17, 2024), <https://www.ailawlibrarians.com/2024/07/17/a-legal-research-prompting-guide-and-generative-ai-system-comparison-exercise/>.

# Lexis Protégé Legal AI

- Ask
  - Preview of cited sources
  - Suggested follow up questions
  - Prompt suggestions
  - AI Guide Research (deep research)
  - Ask Protégé for specific case
- Draft
  - Draft depositions skill
  - Additional document types
  - Drafting mode
- Protégé panel in Lexis
- Summarize
- Document
  - Upload up to 10 documents deleted at the end of session
  - Vault: Upload up to 500 documents saved until user deletes them (limit of 50 vaults)
  - Specific tasks: timeline, interrogatories, requests for admission, and more



My Conversations

Protégé | Legal AI

# Hi Julianne, which legal task can AI accelerate for you today?

Ask

Draft

Summarize

Upload

Protégé

Legal Research

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Legal News Hub

Includes: Case Law | Codes, Rules & Constitutions | Agency Decisions | Practical Guidance | Treatises

Prompt Tips

What notice does a landlord need to provide before evicting a residential tenant in California?

Select Jurisdiction

Content: Publ., Crim & Civ.

AI-guided research

Prompt suggestions





My Conversations

What notice does a landlord need to provide before evicting a residential tenant in Calif...

What notice does a landlord need to provide before evicting a residential tenant in California?

JO



Response completed

Sure, here are some suggested prompts. Select one of the questions or your original prompt to proceed.

**What are the requirements for a valid three-day notice to pay rent or quit in California?**

*This query focuses specifically on the three-day notice to pay rent or quit, which is one of the most common eviction notices in California. It explores the technical requirements for this specific notice type, including content, delivery methods, and calculation of the three-day period, which are crucial details for proper eviction procedure.*

**How does the Ellis Act affect residential eviction procedures in California?**

*This query examines the Ellis Act, a California state law that allows landlords to evict tenants in order to "go out of the rental business." It explores a specific statutory framework that creates exceptions to standard eviction notice requirements and imposes different notice periods and tenant protections.*

**What tenant protections exist under California's just cause eviction laws?**

*This query investigates California's just cause eviction requirements, which limit the reasons landlords can evict tenants in certain jurisdictions. Understanding these protections is essential as they directly impact when and how a landlord can provide eviction notices, requiring specific causes to be stated in the notice.*

Prompt Tips

Ask a legal question



Jurisdiction: CA



Content: PubL, Crim & Civ.



AI-guided research



New conversation



Protégé™



Legal Research



Practical Guidance



Litigation Analytics



Document Analysis



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My Conversations

# What notice does a landlord need to provide before evicting a residential tenant in Calif...

*different notice periods and tenant protections.*

## What tenant protections exist under California's just cause eviction laws?

*This query investigates California's just cause eviction requirements, which limit the reasons landlords can evict tenants in certain jurisdictions. Understanding these protections is essential as they directly impact when and how a landlord can provide eviction notices, requiring specific causes to be stated in the notice.*

## What are the notice requirements for terminating a month-to-month tenancy in California?

*This query addresses termination notices for month-to-month tenancies, which differ from eviction notices for lease violations. It explores the 30/60-day notice requirements for terminating periodic tenancies without cause (where permitted), which represent a different legal pathway than violation-based evictions.*

## How do local rent control ordinances impact eviction notice requirements in California cities?

*This query examines how local rent control ordinances in California cities like San Francisco, Los Angeles, and Oakland create additional notice requirements and eviction protections beyond state law. These local regulations often impose stricter standards and longer notice periods that landlords must follow in rent-controlled jurisdictions.*

Original prompt: **What notice does a landlord need to provide before evicting a residential tenant in California?**

Regenerate using AI-guided research



Prompt Tips

Ask a legal question



Jurisdiction: CA



Content: PubL, Crim & Civ.



AI-guided research



New conversation

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My Conversations

What notice does a landlord need to provide before evicting a residential tenant in Calif...

What notice does a landlord need to provide before evicting a residential tenant in California?

JO



Working on your request using AI-guided research

Reasoning

I'll address this question by examining California's landlord-tenant law regarding eviction notices. This requires understanding the different types of eviction notices required in California based on the reason for eviction, notice period requirements, and proper service methods. I'll need to cover notices for non-payment of rent, lease violations, and no-fault evictions, while noting any special protections or recent changes to California law as of 2026.

Action required

Here's how I plan to research your question. If everything looks good, select Confirm to continue. To make changes, choose Edit. To start over with a new prompt, select Discard prompt.

1. What notice does a landlord need to provide before evicting a residential tenant in California?

Discard prompt

Edit

Confirm

Ask a legal question

Select Jurisdiction

Content: PubL, Crim & Civ.

AI-guided research



New conversation

Terms & Conditions

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Document Analysis

Legal News Hub



My Conversations

What notice does a landlord need to provide before evicting a residential tenant in Calif...

Show more

Expanding citations

Action required

I've found relevant citations for each question, with brief snippets to help you quickly validate their relevance. You can adjust the selections if needed—once you're ready, select Submit to continue.

1. What notice does a landlord need to provide before evicting a residential tenant in California?

- [Cal Code Civ Proc § 1162](#) | Codes | California ⌵
- [Cal Civ Code § 1946.1](#) | Codes | California ⌵
- [Cal Civ Code § 1946.2](#) | Codes | California ⌵
- [Cal Code Civ Proc § 1161](#) | Codes | California ⌵
- [Wasatch Property Management v. Degrate, 35 Cal. 4th 1111](#) | Supreme Court of California | Jun 13, 2005 | Cases ⌵
- [Cal Civ Code § 1946](#) | Codes | California ⌵
- [Cal Code Civ Proc § 1161b](#) | Codes | California ⌵



Protégé



Legal Research



Practical Guidance



Litigation Analytics



Document Analysis



Legal News Hub

Ask a legal question

Select Jurisdiction

Content: PubL, Crim & Civ.

AI-guided research



New conversation

Terms & Conditions

Privacy Policy

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Processing Notice

Cookie Policy



My Conversations

# What notice does a landlord need to provide before evicting a residential tenant in Calif...

[Wasatch Property Management v. Degrate, 35 Cal. 4th 1111](#) | Supreme Court of California | Jun 13, 2005 | Cases

[Cal Civ Code § 1946](#) | Codes | California

[Cal Code Civ Proc § 1161b](#) | Codes | California

[People ex rel. Dept. of Transportation v. Lucero, 114 Cal. App. 3d 166](#) | Court of Appeal of California, Second Appellate District, Division Three | Dec 30, 1980 | Cases

### Additional recommendations ⓘ

[Losornio v. Motta, 67 Cal. App. 4th 110](#) | Court of Appeal of California, Fourth Appellate District, Division One | Oct 7, 1998 | Cases

[Palm Property Investments, LLC v. Yadegar, 194 Cal. App. 4th 1419](#) | Court of Appeal of California, Second Appellate District, Division Two | May 3, 2011 | Cases

[Bevill v. Zoura, 27 Cal. App. 4th 694](#) | Court of Appeal of California, Fourth Appellate District, Division One | Aug 11, 1994 | Cases

[← Edit questions](#)

Discard prompt

**Confirm**

Ask a legal question

Select Jurisdiction

Content: PubL, Crim & Civ.

AI-guided research



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# What notice does a landlord need to provide before evicting a residential tenant in Calif...

Show more ▾

Generating response with up-to-date, authoritative and established citations

In California, the notice requirements a landlord must fulfill before evicting a residential tenant depend on the specific circumstances of the tenancy and the grounds for eviction. Below is an overview of the applicable notice requirements:

### 1. Termination of Month-to-Month Tenancy Without Cause:

For a month-to-month tenancy, a landlord must generally provide at least 30 days' written notice of termination if the tenant has resided in the property for less than one year. If the tenant has resided in the property for one year or more, the landlord must provide at least 60 days' written notice. [Cal Civ Code § 1946](#), [Cal Civ Code § 1946.1](#).

However, if the property is being sold to a bona fide purchaser who intends to occupy the property, a 30-day notice may suffice under specific conditions, such as the establishment of escrow and the purchaser's intent to reside in the property for at least one year. [Cal Civ Code § 1946.1](#)



### 2. Termination for Just Cause:

Under California's "just cause" eviction laws, a landlord must provide a written notice stating the specific cause for termination if the tenancy has lasted 12 months or more. For curable lease violations, the landlord must first issue a notice to cure the violation before serving a three-day notice to quit if the violation is not remedied. [Cal Civ Code § 1946.2](#).

Examples of just cause include nonpayment of rent, breach of a material lease term, nuisance, or illegal use of the premises. [Cal Civ Code § 1946.2](#), [Cal Code Civ Proc § 1161](#), [San Francisco Apartment Assn. v. City and County of San Francisco](#), 104 Cal. App. 5th 1218.



### 3. Nonpayment of Rent:

Summarize cases and statutes

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# What notice does a landlord need to provide before evicting a residential tenant in Calif...

Content supporting AI-generated response:

[Cal Civ Code § 1946](#) | Codes | California

[Cal Civ Code § 1946.1](#) | Codes | California

[Cal Civ Code § 1946.2](#) | Codes | California

[Cal Code Civ Proc § 1161](#) | Codes | California

[San Francisco Apartment Assn. v. City and County of San Francisco, 104 Cal. App. 5th 1218](#) | Court of Appeal of California, First Appellate District, Division Two | Sep 11, 2024 | Cases

[Bevill v. Zoura, 27 Cal. App. 4th 694](#) | Court of Appeal of California, Fourth Appellate District, Division One | Aug 11, 1994 | Cases

[Cal Civ Code § 1946.7](#) | Codes | California

[Cal Civ Code § 1946.9](#) | Codes | California

[Cal Civ Code § 1946.8](#) | Codes | California

[Wasatch Property Management v. Degrate, 35 Cal. 4th 1111](#) | Supreme Court of California | Jun 13, 2005 | Cases

[Losornio v. Motta, 67 Cal. App. 4th 110](#) | Court of Appeal of California, Fourth Appellate District, Division One | Oct 7, 1998 | Cases

[California Apartment Assn. v. City of Pasadena, 117 Cal. App. 5th 187](#) | Court of Appeal of California, Second Appellate District, Division Seven | Dec 18, 2025 | Cases

[People ex rel. Dept. of Transportation v. Lucero, 114 Cal. App. 3d 166](#) | Court of Appeal of California, Second Appellate District, Division Three | Dec 30, 1980 | Cases

Summarize cases and statutes

Ask the same question with a new jurisdiction

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# What notice does a landlord need to provide before evicting a residential tenant in Calif...

Cases

[California Apartment Assn. v. City of Pasadena, 117 Cal. App. 5th 187](#) | Court of Appeal of California, Second Appellate District, Division Seven | Dec 18, 2025 | Cases

[People ex rel. Dept. of Transportation v. Lucero, 114 Cal. App. 3d 166](#) | Court of Appeal of California, Second Appellate District, Division Three | Dec 30, 1980 | Cases

### Related materials

Cases (11)

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Jurisdiction: California Citation Format:

AI-generated content must be reviewed for accuracy. Unlinked citations in your response indicate sources that could not be verified in our database.

Generated using AI-guided research



### Suggested follow up questions:

- + What are the specific requirements for serving an eviction notice in California to ensure compliance with procedural laws?
- + How do local ordinances in California impact the eviction notice process for residential tenants?
- + What constitutes a valid "just cause" for eviction under California law?

Summarize cases and statutes

Ask the same question with a new jurisdiction

More suggested tasks

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Drafting mode

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Draft a demand letter addressed to the client's landlo...



Email or Letter (Jan 23rd 2026)

AI Changes



How does it work?

[Your Name]  
[Your Address]  
[City, State, ZIP Code]  
[Email Address]  
[Phone Number]

[Date]

[Landlord's Name]  
[Landlord's Address]  
[City, State, ZIP Code]

Re: Demand for Repair of Kitchen Sink at [Rental Property Address]

Dear [Landlord's Name],

I am writing on behalf of my client, [Client's Name], who resides at [Rental Property Address], to address an urgent issue regarding the kitchen sink in the rental unit. The sink has been in disrepair, and despite prior notifications, the issue remains unresolved.

Under California law, landlords are required to maintain rental properties in a habitable condition, which includes ensuring that plumbing fixtures are in good working order. The failure to repair the kitchen sink constitutes a breach of this obligation.

My client hereby demands that the necessary repairs to the kitchen sink be completed no later than [specific date, e.g., "October 31, 2023"]. If the repairs are not completed by this date, my client will have no choice but to withhold rent until the issue is resolved, as permitted under California law.

Draft a demand letter addressed to the client's landlord demanding that the kitchen sink be repaired by the end of the month. The client will withhold rent if the sink is not fixed by that time.

JO



Response completed



Your draft is now complete. Select text to edit or analyze, or type directly in the editor.

Content supporting AI-generated response:

▲ [J. B. Hill Co. v. Pinque, 179 Cal. 759](#) | Supreme Court of California | Feb 17, 1919 | Cases

● [Adelman v. Adelman, 2024 Cal. App. Unpub. LEXIS 1100](#) | Court of Appeal of California, Second Appellate District, Division Three | Feb 22, 2024 | Cases

▲ [Bawa v. Terhune, 33 Cal. App. 5th Supp. 1](#) | Appellate Division, Superior Court of California, Los Angeles County | Jan 30, 2019 | Cases

▲ [Carter v. Cohen, 188 Cal. App. 4th 1038](#) | Court of Appeal of



Soften tone



Make more assertive



Convert to plain language

your selected passage:

Drafting Tools

Enter drafting request here



Jurisdiction: CA



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Ask a question or start a draft with your documents

Jurisdiction: CA



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Enter a source name, a citation, terms or shep: [citation] to Shepardize

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All Jurisdictions



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California	Indiana	Missouri	Ohio	Vermont
Colorado	Iowa	Montana	Oklahoma	Virgin Islands
Connecticut	Kansas	Nebraska	Oregon	Virginia
Delaware	Kentucky	Nevada	Pennsylvania	Washington
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- Lexis Learn
- Law School Resources
- Interactive Citation Workstation

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Colorado	Iowa	Montana		Virgin Islands
Connecticut	Kansas	Nebraska		

## Tools &

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# ▲ Bevill v. Zoura

4th District Court of Appeal August 11, 1994 27 Cal. App. 4th 694

Go to page #



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- Headnotes

## ▲ Bevill v. Zoura

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Law School Case Brief

Court of Appeal of California,  
Fourth Appellate District, Division  
One

August 11, 1994, Decided

No. D018832.

### Reporter

27 Cal. App. 4th 694 \* | 32 Cal. Rptr.

2d 635 | 1994 Cal. App. LEXIS 831 |

94 Cal. Daily Op. Service 6211 | 94

Daily Journal DAR 11276

S. JAMES BEVILL, Plaintiff and  
Respondent, v. LATIF ZOURA,  
Defendant and Appellant.

Counsel  
Judges  
Opinion

Footnotes



Info



Notes

My Conversations

Bevill v. Zoura, 27 Cal. App. 4th 694

Use this document to answer my question

▲ Bevill v. Zoura, 27 Cal. ...

Identify key facts

Summarize legal issues

Ask a question about this document

New conversation

# Lexis Protégé General AI

- General-purpose AI models within Protégé
  - Data is not shared or used to train models
  - Same level of data protection
  - Will search web and Lexis
  - Legal citations include Shepard's signals
- Use whenever you would use a general-purpose tool or want to include a web search

Legal AI	General AI GPT-4o	General AI OpenAI o3	General AI GPT-5	General AI Claude Sonnet 4
Trusted Legal Answers	General Exploration	Advanced Reasoning	Strategic Reasoning	Natural Fluency
Thorough, legally grounded	Fast conversational tone	Analytical and deliberate	Combine depth & conversational tone	Thoughtful & well-structured responses
Best for legal research, drafting, & analysis	Best for brainstorming, foundational research & communication	Best for exploring hypotheticals & legal strategy	Best for complex questions, argument refinement, & synthesis	Best for everyday tasks, communication, & brainstorming
Answers grounded in LexisNexis legal & firm content via DMS integration	Responses are generated from a range of open-web sources	Responses are generated from a range of open-web sources	Responses are generated from a range of open-web sources	Responses are generated from a range of open-web sources
Full <i>Shepard's</i> ®-validated citations	<i>Shepard's</i> Citation Agent checks any included legal references	<i>Shepard's</i> -Citation Agent checks any included legal references	<i>Shepard's</i> Citation Agent checks any included legal references	<i>Shepard's</i> Citation Agent checks any included legal references
Multiple legal-tuned models: GPT-4o, GPT-4.1, Claude 3.7, Claude 4, fine-tuned GPT-4o-mini, & fine-tuned Mistral, applies best model for use case. The latest models are assessed continuously.				

Data as of August 2025.

### What is a model?

In AI, model refers to the engine that generates responses. Models are trained in different ways which influences how they're used. Some are fast and conversational, useful for everyday tasks. Others are deeply analytical, useful for breaking down complex problems. Lexis+ AI provides access to multiple models. You choose the right one for the task.



My Conversations

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Trusted, authoritative legal answers grounded in LexisNexis® content and validated with Shepard's®.

Protégé | General AI

Legal-aware AI responses drawing from the open web with Shepard's® checks for added credibility.

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Prompt Tips

Ask a legal question

Jurisdiction: CA

Content: Publ., Crim & Civ.



AI-guided research

Prompt suggestions





Protégé | General AI ^

# Hi Julianne, what would you like to explore today?

Share your ideas or questions and we'll intelligently match them with the best model.

Model: Best Fit

Attach files

Source: LexisNexis®, Web



**Best Fit (Recommended)**



Automatically selects the most capable model for your request.

**GPT-4o (General Exploration)**

Fast, conversational responses to support everyday tasks, communication, and brainstorming.

**OpenAI o3 (Advanced Reasoning)**

Deliberate, analytical responses for tasks such as issue spotting, hypothetical exploration, and legal strategy development.

**GPT-5.1 (Polished)**

Highly polished output style

**GPT-5.2 (Professional exploration)**

Quick, Clear, Practical

**Claude Sonnet 4 (Natural Fluency)**

Thoughtful, well-structured responses to support everyday tasks, communication, and brainstorming.

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# You work for a housing rights clinic representing tenants in eviction cas...

You work for a housing rights clinic representing tenants in eviction cases. List five events where you could advertise your pro bono services in San Diego, California.

JO

**Response completed**

- ✓ You've chosen the following sources:
  - LexisNexis® content
  - Web content
- ✓ I need to find information about events in San Diego, California where a housing rights clinic could advertise pro bono tenant services. This would include community events, legal aid fairs, housing-related conferences, and other venues where tenants facing eviction might be present or where legal services are promoted. I'll search for current opportunities and venues in San Diego specifically.
- ✓ I have comprehensive information about venues and events in San Diego where housing rights clinics can advertise pro bono services. Now I'll generate a focused answer listing five specific events that would be most effective for reaching tenants who need eviction assistance.

**Protégé | General AI | GPT-4o**

This is an AI-generated response with a legal-aware persona, built within the trusted LexisNexis® ecosystem. It draws from a broad range of sources—including the open web—and includes Shepard's® citation checks.

Share your ideas or questions and we'll intelligently match them with the best model.

🔗 Model: GPT-4o

📎 Attach files

🌐 Source: LexisNexis®, Web



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Based on my knowledge of San Diego's legal aid and community service landscape, here are key venues and events where housing rights clinics can advertise pro bono tenant eviction services:

## Community Events and Legal Aid Fairs

### Legal Aid Society of San Diego (LASSD) Events:

- Regularly hosts community legal clinics and "Ask-A-Lawyer" events
- Partners with community organizations for outreach events
- Coordinates with other nonprofits for housing rights workshops

### San Diego Volunteer Lawyer Program (SDVLP) Events:

- Hosts annual legal aid fairs
- Organizes pro bono attorney recruitment events
- Coordinates with local bar associations for community outreach

## Venues for Advertising Services

### Community Centers:

- City Heights Community Center
- Logan Heights Community Center

Share your ideas or questions and we'll intelligently match them with the best model.

Model: GPT-4o

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## Regular Community Events

### Monthly/Quarterly Events:

- Neighborhood association meetings
- Community health fairs
- Resource fairs at community colleges
- Immigration service events (often include housing information)

### Annual Events:

- San Diego County Fair (community service booths)
- Various cultural festivals with resource tables
- Back-to-school community events
- Holiday community gatherings

For the most current and specific event listings, I'd recommend contacting the Legal Aid Society of San Diego, San Diego Volunteer Lawyer Program, and checking the City of San Diego's community events calendar for the most up-to-date opportunities.

This response is exploratory; review it carefully. Unlinked citations in your response indicate sources that could not be verified in our database.



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Legal News Hub

### Summary Table

Event Name	Date	Location	Target Audience
Stand Down Resource Event	August 8-9, 2025	Liberty Station	Veterans in crisis
Disabled Veterans Fair	October 22, 2025	Kearny Mesa (County Center)	Disabled veteran
Senior & Veterans Fair	May 3, 2025	Imperial Beach	Senior veterans
Veterans Job Fair	2025 (TBD)	Liberty Station Conference Center	Veterans/job see
GI Film Festival	May 7-9, 2025	Balboa Park	Veterans, familie

These events provide diverse opportunities—from high-stakes resource fairs to community cultural gatherings—to engage veterans in need of legal support. To maximize impact, prepare tailored materials highlighting pro bono services focused on discharge upgrades and benefits, and coordinate with event organizers in advance to secure outreach space.

Let me know if you'd like assistance drafting outreach materials or contacting event coordinators!

This response is exploratory and not based on LexisNexis® content; please review it carefully.

GPT-4o

Explore new ideas, brainstorm - you decide.



Attach Files



Web search



New conversation

# Westlaw Parallel Search

- Not technically AI but uses related neural net technology
- Searches for similar concepts and synonyms related to query
  - Similar to the search portion of RAG
- Currently limited filtering and results
  - Only 25 results
  - Pre-filter by jurisdiction
  - Post filter by jurisdiction, date, reported status, and search within

Enter terms, citations, databases, questions, anything ...



All State & Federal



Parallel Search >

Advanced >



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Artificial Intelligence Legal Materials & News

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Sample Agreements

# Parallel Search NEW

Enter a sentence or legal concept to find cases with conceptually similar sentences. Parallel Search understands synonyms and relationships between words and ideas, so it finds relevant cases even if they do not use your exact words.

Search the way you think

Find a case that says...

California

E.g., "Planting a garden doesn't satisfy the requirements of squatter's rights"

Parallel Search tips



## Filters

Filter by:

Clear filters

## Jurisdiction

 State (25)

## Date

 All (25) Last 3 years (3) Date range

## Reported Status

 Reported (16) Unreported (9)

## Search within results



## Boolean instructions

## Cases (25)

 Select all 0 selected

Sort: Relevance ▾

 [5500 S. Freeway, LLC. v. MGN Five Star Cinema, LLC.](#)

Court of Appeal, Second District, Division 1, California. • October 30, 2018 • Not Reported in Cal.Rptr. • 2018 WL 5603534

III. The Trial Court's Judgment for Damages Was Not Improper. **Our Supreme Court held in Green v. Superior Court (1974) 10 Cal.3d 616 that a warranty of habitability is implied in residential leases and that breach of this warranty can be raised by a residential tenant in an unlawful detainer action.** Schulman v. Vera (1980) 108 Cal.App.3d 552 and subsequent cases have held that this implied warranty is not implied in a commercial lease; therefore, a commercial lessee cannot raise a breach of this covenant as a defense to an unlawful detainer action.

 [Underwood v. Corsino](#)

Court of Appeal, Second District, Division 4, California. • October 06, 2005 • 133 Cal.App.4th 132 • 34 Cal.Rptr.3d 542 • Cited 123 times

DISCUSSION. Frustration of purpose is a legitimate defense to an unlawful detainer action which, if established, results in the tenant's retention of the premises. Green v. Superior Court (1974) 10 Cal.3d 616, 633, 111 Cal.Rptr. 704, 517 P.2d 1168 (Green ), questioned on another point in Davis v. Superior Court (1980) 102 Cal.App.3d 164, 167-168, 162 Cal.Rptr. 167.) **Green established that if the subject premises are for residential use and the landlord has breached the covenant of habitability, abatement of rent in favor of the tenant is appropriate. (Green, at p. 638, 111 Cal.Rptr. 704, 517 P.2d 1168.)** The ruling in Green was codified by enactment of Code of Civil Procedure section 1174.2. (Hyatt v. Tedesco (2002) 117 Cal.Rptr.2d 921, 96 Cal.App.4th Supp. 62, 67.) But we have found no corresponding statute within the unlawful detainer scheme for a commercial tenancy, and respondents have cited us to none.

 [Knight v. Hallsthammar](#)

# Search & Summarize Rutter; Search & Summarize O'Connor's

- Scope of Training/RAG: Rutter or O'Connor's content only
  - No primary law
  - Limited to areas of law covered in these practice guides
- Similar to Search & Summarize Practical Law (previously called Ask Practical Law AI)
- Not available through CoCounsel (yet)

Enter terms, citations, databases, questions, anything ...



All State & Federal



Parallel Search >  
Advanced >



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### Compare text

Compare selected snippets of text to highlight their similarities and differences.

[Compare text](#)



## Search & Summarize Rutter

[How the AI works](#)

[Tips for best results](#)

Content: Rutter Group

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AI

### Jump-start your work with Search & Summarize Rutter

#### Welcome, Julianne

Ask a legal research question just the way you think about it, as if you were giving instructions to a colleague. Please see our tips for best results for questions this feature does not yet support and suggestions for improving results.

Search & Summarize Rutter uses generative AI and can occasionally produce inaccuracies, so it should always be used as part of a research process in connection with additional research where primary sources are checked to fully understand the nuance of the issues and further improve accuracy.

Read [how the AI works](#) and get [tips for best results](#).

Ask a question | My recent questions ^



## What pieces should be included in the answer to an unlawful detainer complaint in California?

Jun 16, 2025 07:08 PM



An answer to an unlawful detainer complaint in California must include the following pieces:

1. Filing Deadline and Form: The tenant's response is due within five days after service of the unlawful detainer summons and complaint, excluding Saturdays, Sundays, and court holidays. This period extends by five court days if service is conducted by mail or in person through the Secretary of State's address confidentiality program ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1], ([Cal. Prac. Guide Landlord-Tenant Ch. 8-C](#)) [2], ([Cal. Prac. Guide Civ. Pro. Trial Claims and Def. Ch. 11\(I\)-B](#)) [3]. The Judicial Council has approved form UD-105 for answering unlawful detainer complaints, which is available on the California Courts website ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1].

2. Denials:

- General Denial: The defendant may file a general denial of all allegations in the complaint, which can be done by checking item "2a" on the Judicial Council form answer UD-105 ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1], ([Cal. Prac. Guide Civ. Pro. Before Trial Ch. 6-C](#)) [4]. This does not preclude the tenant from raising affirmative defenses.

- Specific Denial: The defendant can respond specifically to each paragraph in the complaint by admitting, denying, admitting portions and denying portions, or denying based on lack of information or belief ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1], ([Cal. Prac. Guide Civ. Pro. Before Trial Ch. 6-C](#)) [4].

3. Affirmative Defenses: Affirmative defenses must be specifically pleaded in the answer. These defenses are referred to as "new matter" and include defenses that the defendant bears the burden of proving at trial ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1], ([Cal. Prac. Guide Civ. Pro. Trial Claims and Def. Ch. 11\(I\)-C](#)) [5]. Common affirmative defenses listed in the Judicial Council form UD-105 include:

- Landlord's breach of the warranty of habitability.

- Proper exercise of the "repair and deduct" remedy.

- Timely tender of rent refused by the landlord.

- Eviction motivated by unlawful discrimination or based on immigration or citizenship status ([Cal. Prac. Guide Landlord-Tenant Ch. 8-D](#)) [1], ([Cal. Prac. Guide Civ. Pro. Trial Claims and Def. Ch. 11\(I\)-C](#)) [5].

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- Violations of local rent control ordinances (Cal. Prac. Guide Civ. Pro. Trial Claims and Def. Ch. 11(I)-C) [5].

4. Verification: The answer must be verified (Cal. Prac. Guide Civ. Pro. Trial Claims and Def. Ch. 11(I)-B) [3].

5. Extension of Time: The time for filing a responsive pleading may be extended by court order. To avoid default, seek a court order extending the time before the expiration of the period to plead (Cal. Prac. Guide Civ. Pro. Before Trial Ch. 6-C) [4].

These elements ensure that the answer properly addresses the allegations in the complaint and raises any defenses that the tenant may have. Each of these points is supported by relevant statutory requirements and case law cited in the provided documents.

The above response is AI-generated and may contain errors. It should be verified for accuracy.

Was this response helpful?  Yes  No

## 1. D. Answer to Unlawful Detainer Complaint

California Practice Guide—Landlord-Tenant • Cal. Prac. Guide Landlord-Tenant Ch. 8-D

"...h. [8:331] Tenant's breach was of an implied covenant: Landlords may terminate a tenancy for the tenant's breach of covenant only if the covenant was an express provision of the rental agreement. Accordingly, unless the parties otherwise agreed in their lease, it is a valid defense to an unlawful detainer that the breach stated in the underlying three-day notice was of an implied (not an express) covenant. [CCP § 1161(3); Keating v. Preston (1940) 42 CA2d 110, 118, 108 P2d 479, 484—landlord may terminate for breach of implied covenant only if lease provides for that option] (Because it relates to adequacy of the notice, part of the landlord's prima facie case, this "defense" would be in issue under a specific denial to the notice allegations in the complaint.) i. [8:332] Discrimination: As earlier discussed, whether or not the rental property is subject to rent control or Tenant Protection Act of 2019, landlords may not evict for discriminatory reasons. It is therefore a valid defense to an unlawful detainer that the action was motivated by unlawful discrimination—either against the tenant personally or against a subtenant or others with whom the tenant associates. (See item "3g" on Judicial council form answer (UD-105), ¶ 7:208.11, 7:210, 7:411, 8:262, 8:372) j. [8:332.5] Immigration and citizenship status: It is an affirmative defense to an unlawful detainer that a landlord caused the tenant or occupant to quit involuntarily or brought an action to recover possession because of the immigration or citizenship status of the tenant, occupant, or other person known to the landlord to be associated with the tenant or occupant. [CCP § 1161.4(a), (b)]..."

"...4. [8:297] Affirmative Defenses: As with general civil litigation, defendant's answer should allege applicable affirmative defenses that are not put in issue under a simple denial—commonly referred to as "new matter." As a general rule, whatever the defendant tenant bears the burden of proving at trial is "new matter" and thus is in issue only if specifically pleaded in the answer. Conversely, a denial puts in issue those allegations in the complaint that are part of the plaintiff landlord's prima facie case. [CCP § 431.30(b); Walsh v. West Valley Mission Comm. College Dist. (1998) 66 CA4th 1532, 1546, 78 CR2d 725, 733-734; see Bevill v. Zoura (1994) 27 CA4th 694, 698, 32 CR2d 635, 638—defect in 3-day notice put in issue by denial of rental amount

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J

### What pieces should be included in the answer to an unlawful detainer complaint in California?

**PL** In California, the answer to an unlawful detainer complaint should generally include a verified answer, which can be filed using the California Judicial Council's optional answer form for unlawful detainer actions (Cal. Jud. Council Form UD-105) ([Practice notes, Unlawful Detainers: Filing a Complaint Through Possession \(CA\)](#)) [1]. The defendant may also file a demurrer to challenge the legal sufficiency of the complaint if it fails to allege necessary elements of a cause of action for unlawful detainer ([Practice notes, Defending an Unlawful Detainer Action \(CA\)](#)) [2]. Additionally, a motion to strike can be filed if the complaint contains irrelevant, false, or improper matters ([Practice notes, Defending an Unlawful Detainer Action \(CA\)](#)) [2]. A motion to quash may be used to challenge defects in the service of the summons and complaint ([Practice notes, Defending an Unlawful Detainer Action \(CA\)](#)) [2]. While affirmative defenses are generally limited, they can be asserted if they would preclude the court from removing the tenant from the premises ([Practice notes, Defending an Unlawful Detainer Action \(CA\)](#)) [2]. Equitable defenses, such as unclean hands or equitable estoppel, may also be included in the answer ([Practice notes, Defending an Unlawful Detainer Action \(CA\)](#)) [2]. The defendant must file the answer, demurrer, or motion to strike within ten days after the complaint is served, though the court may extend this time for good cause ([Practice notes, Unlawful Detainers: Filing a Complaint Through Possession \(CA\)](#)) [1].

The above response is AI-generated and may contain errors. It should be verified for accuracy.

Was this response helpful? Yes No

## 1. Unlawful Detainers: Filing a Complaint Through Possession (CA)

[Practice notes](#) • [Maintained](#) • [California](#)

"... Pre-Trial Procedures - Responding to the Complaint - Nature of Response. In response to an unlawful detainer complaint, the defendant may generally file: A verified answer (Cal. Civ. Proc. Code § 446 and 1170). The California Judicial Council has adopted an optional answer form for unlawful detainer actions (see Cal. Jud. Council Form UD-105). For a general sample answer, see Standard Document, Answer (CA). A demurrer (Cal. Civ. Proc. Code § 1170). For a sample demurrer, see Standard Document, Notice of Demurrer and Demurrer (CA). A motion to strike (Cal. Civ. Proc. Code § 436(a), (b)). For more ..."

"... Pre-Trial Procedures - Responding to the Complaint - Deadline to Respond. A defendant must file: An answer, demurrer, or motion to strike within ten days after the unlawful detainer complaint is served (Cal. Civ. Proc. Code §§ 1167(a) and 1170; but see Cal. Civ. Proc. Code § 1167.3). This time may be extended by the court: up to ten days without the plaintiff's consent (Cal. Civ. Proc. Code § 1167.5); or beyond ten days for good cause (see Deal, 157 Cal. App. 3d at 997 (court may extend the period beyond ten days on a showing of good cause)). A notice of motion to quash before the last day to respond ..."

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**J** My client has repeatedly emailed his landlord asking the landlord to fix the mold problem in his apartment but the landlord has refused to do so for over two months. My client was late paying his rent this month so the landlord sent him a notice to pay rent while he was out of town. The landlord has now filed an unlawful detainer suit.

Claims Explorer results use generative AI and should be verified for accuracy.

Jun 16, 2025 07:24 PM



Federal 3

State 81

Filter by:

All (3)

Additional facts needed (3)

### United States Housing Act of 1937 — § 1437a. Rental payments

#### § 1437a. Rental payments

Last amended 12/27/2022

#### 42 U.S.C.A. 1437a

Additional facts needed

The fact pattern indicates that the landlord has refused to address the mold problem in the apartment, which could potentially fall under the failure to maintain subsidized rental property in proper condition. However, there is no explicit mention that the apartment is subsidized or that the client is receiving rental assistance. If the client is indeed part of a rental assistance program, this cause of action could be viable.

[Find defenses for 42 U.S.C.A. 1437a with these facts](#)

### Fair Housing Act — § 3604. Discrimination in the sale or rental of housing and other prohibited practices

#### § 3604. Discrimination in the sale or rental of housing and other prohibited practices

Last amended 09/13/1988

#### 42 U.S.C.A. § 3604(a)

Additional facts needed



## Claims Explorer

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Claims Explorer results use generative AI and should be verified for accuracy.

Jun 16, 2025 07:24 PM



Federal 3

State 81

Filter by:

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Additional facts needed (69)

### § 731. Nuisance; action to abate, damages; parties authorized to sue; public nuisance

#### § 731. Nuisance; action to abate, damages; parties authorized to sue; public nuisance

Last amended 01/01/2011

West's Ann.Cal.C.C.P. § 731

✔ Supported

The landlord's refusal to address the mold problem in the apartment for over two months, despite repeated requests from the tenant, could be considered a nuisance under CA CIV PRO S731. The mold issue likely injuriously affects the tenant's property and lessens their personal enjoyment of the property.

🔍 [Find defenses for West's Ann.Cal.C.C.P. § 731 with these facts](#) ↗

### § 1927. Quiet possession of hire

#### § 1927. Quiet possession of hire

Last amended 1872 - Actionable under West's Ann.Cal.Civ.Code S 3304

West's Ann.Cal.Civ.Code § 1927

✔ Supported

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In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?

JO Julianne Odin • Jan 25, 1:32 PM

In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?

Agent Time: -10 min • California

Westlaw • Jan 25, 1:39 PM

In an unlawful detainer suit, what must a tenant's answer contain to make a claim of...

▶ Research contents

▼ Research steps

- ✓ Researching the statutory requirements for tenant answers in unlawful detainer proceedings under California Code of Civil Procedure Section 1170.5 and related provisions.
  - Found Code of Civil Procedure Section 1170.5 does not contain specific pleading requirements for tenant answers. The answer requirements are governed by general CCP provisions, with Civil Code Section 1942.5 providing the substantive law for retaliatory eviction claims.
- ✓ Examining the elements required to plead a

Research report Enhance Sources (19)

## Summary

In California unlawful detainer suits, a tenant's answer claiming retaliatory eviction must contain sufficient factual allegations to provide fair notice of the defense but need not prove the case in the pleadings. The answer must identify: (1) the specific protected tenant activity that occurred, (2) that the landlord's retaliatory conduct occurred within 180 days of the protected activity, (3) that the tenant was not in default on rent payments, and (4) the specific retaliatory conduct by the landlord. California follows liberal notice pleading standards for retaliatory eviction defenses, prioritizing substantive protection over procedural technicalities, while placing the burden on the tenant to prove retaliatory motive by a preponderance of evidence at trial.

## Statutory Framework and Essential Elements

California Civil Code Section 1942.5 establishes the substantive law governing retaliatory eviction claims [CA CIVIL § 1942.5](#). Under this statute, a tenant asserting retaliatory eviction must establish four core elements in their answer. First, the tenant must identify protected activity, which includes giving notice under Section 1942, providing notice of bed bug infestation, making oral complaints regarding tenantability, filing written or recorded oral complaints with appropriate agencies, participating in inspections resulting from complaints, filing judicial or arbitration proceedings involving tenantability, or lawfully organizing or participating in tenant associations [CA CIVIL § 1942.5](#).

Second, the retaliatory conduct must have occurred within 180 days of the protected activity, with the period running from the latest applicable date if multiple protected activities occurred [CA CIVIL § 1942.5](#). Third, the tenant must not be in default as to rent payment at the time of the alleged retaliation [CA CIVIL § 1942.5](#). Fourth, the answer must identify specific prohibited landlord conduct, including attempts to recover possession, cause involuntary departure, increase rent, or decrease services [CA CIVIL § 1942.5](#).

The California Supreme Court in *Barela v. Superior Court* expanded retaliatory eviction protections beyond tenantability complaints, holding that the defense applies when landlords retaliate for tenants exercising "any rights under the law" [Barela v. Superior Court, 30 Cal.3d 244 \(1981\)](#). This broad interpretation allows tenants to assert retaliatory eviction defenses for a wide range of protected activities, including reporting criminal

Ask a follow-up question about this response





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## Procedural Requirements and Timing

California unlawful detainer proceedings impose strict timing requirements for tenant responses. Local court rules establish that defendants have five calendar days to file a response after service of the unlawful detainer summons and complaint [CAR MARIN SUPER CT Rule 2.17](#). Code of Civil Procedure Section 1170.5 provides that if a defendant appears pursuant to Section 1170, trial must be held within 20 days of the request to set trial time, emphasizing the summary nature of these proceedings [CA CIV PRO § 1170.5](#).

Despite these expedited procedures, California courts have consistently held that retaliatory eviction may be asserted as an affirmative defense in unlawful detainer actions. The California Supreme Court in *Green v. Superior Court* established the foundational principle that "nothing in the statutory scheme precludes a defendant from interposing an affirmative defense in an unlawful detainer proceeding" when the defense, if established, would preserve the tenant's right to possession [Green v. Superior Court, 10 Cal.3d 616 \(1974\)](#).

## Liberal Pleading Standards

California courts apply liberal pleading standards for retaliatory eviction defenses, focusing on substance over procedural formalities. The seminal case *Schweiger v. Superior Court* established retaliatory eviction as a viable defense in unlawful detainer proceedings, emphasizing public policy protection over procedural obstacles [Schweiger v. Superior Court, 3 Cal.3d 507 \(1970\)](#). The court recognized that effective enforcement of housing codes depends on private initiative in reporting violations, and allowing retaliatory evictions would frustrate this public policy.

In *Kemp v. Schultz*, the appellate court demonstrated the liberal approach by allowing a retaliatory eviction defense based solely on an oral complaint to the landlord regarding tenantability, without requiring a written governmental complaint [Kemp v. Schultz, 121 Cal.App.3d Supp. 13 \(1981\)](#). The court held that "a tenant, who is not in default in the payment of rent, may invoke the defense of retaliatory eviction, upon proof that he has made an oral complaint to the landlord regarding the tenantability of the premises" [Kemp v. Schultz, 121 Cal.App.3d Supp. 13 \(1981\)](#).

The Court of Appeal in *S.P. Growers Assn. v. Rodriguez* established the balancing test that guides courts in determining whether to allow retaliatory eviction defenses. The court held that retaliatory eviction defenses require balancing public policies furthered by protecting a tenant from eviction against the state's interest in ensuring that unlawful detainer

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### Burden of Proof and Evidentiary Standards

While pleading standards are liberal, California places the burden of proving retaliatory motive on the tenant at trial. In *W. Land Off, Inc. v. Cervantes*, the Court of Appeal established that "the tenant has the overall burden of proving his landlord's retaliatory motive by a preponderance of the evidence" [Western Land Office, Inc. v. Cervantes, 175 Cal.App.3d 724 \(1985\)](#). The court reasoned that Civil Code Section 1942.5(c) explicitly places the burden of producing evidence on tenants claiming retaliation for tenant organizing activities, and this burden should apply equally to all retaliatory eviction claims for consistency between different subdivisions of the same statute [Western Land Office, Inc. v. Cervantes, 175 Cal.App.3d 724 \(1985\)](#).

The *Cervantes* court provided detailed guidance on burden allocation, holding that if a landlord takes action for a valid reason not listed in unlawful detainer statutes, the landlord must give notice of the ground and prove its existence if controverted by the tenant [Western Land Office, Inc. v. Cervantes, 175 Cal.App.3d 724 \(1985\)](#). However, the tenant retains the overall burden of proving the landlord's dominant retaliatory purpose.

### Good Faith Defense and Landlord Responses

Civil Code Section 1942.5(g) provides landlords with a good faith defense, allowing them to overcome retaliatory eviction claims by demonstrating legitimate reasons for their actions [CA CIVIL § 1942.5](#). This defense enables landlords to prevail even when some retaliatory motive exists, provided they can establish good faith reasons for their conduct.

In Ellis Act cases, *Drouet v. Superior Court* established special procedures where landlords can overcome retaliatory eviction defenses by demonstrating a bona fide intent to withdraw property from the rental market [Drouet v. Superior Court, 31 Cal.4th 583 \(2003\)](#). If the tenant controverts the landlord's bona fide intent, the landlord bears the burden of establishing its truth by a preponderance of evidence [Drouet v. Superior Court, 31 Cal.4th 583 \(2003\)](#).

### Dual Sources of Protection

California recognizes two parallel sources for retaliatory eviction protection: statutory protection under Civil Code Section 1942.5 and common law protection established in *Schweiger*. The Court of Appeal in *Runnymede Holdings, LLC v. Foster* noted that "tenants may also rely upon decisional law to assert the retaliation defense in appropriate cases" beyond the statutory framework [Runnymede Holdings, LLC v. Foster, 96 Cal App 5th Supp 1](#)

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✔ Examining the elements required to plead a claim of retaliatory eviction.

Ask a follow-up question about this response



## Supporting Specific Pleading Requirements

- 1. Summary Proceeding Integrity** - The summary nature of unlawful detainer proceedings demands precise pleading to avoid unnecessary delays and ensure prompt resolution of possession disputes. *Anticipated Rebuttals:* Courts have consistently held that important public policies favoring tenant protection outweigh concerns about procedural delay, as established in *Barela* and *Schweiger*.
- 2. Burden of Proof Consistency** - Since tenants bear the burden of proving retaliatory motive by preponderance of evidence at trial, pleadings should contain sufficient detail to support this evidentiary burden. *Anticipated Rebuttals:* California follows notice pleading standards that require fair notice rather than evidentiary proof in pleadings, and liberal amendment procedures allow factual development through discovery.
- 3. Landlord Due Process** - Specific pleading requirements ensure landlords receive adequate notice to prepare effective responses and assert good faith defenses under Civil Code Section 1942.5(g). *Anticipated Rebuttals:* The statutory framework already provides landlords with discovery rights and good faith defense mechanisms that operate independently of pleading specificity requirements.

## Supporting Liberal Pleading Requirements

- 1. Public Policy Protection** - Strong public policy favoring protection of tenant rights under Civil Code Section 1942.5 warrants liberal pleading standards to ensure substantive consideration rather than procedural dismissal. *Anticipated Rebuttals:* Public policy concerns must be balanced against the legitimate state interest in maintaining expedited unlawful detainer procedures for property possession disputes.
- 2. Notice Pleading Standards** - California's general notice pleading requirements apply to unlawful detainer proceedings, requiring only fair notice of the defense rather than detailed factual proof. *Anticipated Rebuttals:* The expedited nature of unlawful detainer proceedings may justify heightened pleading standards to ensure judicial efficiency and avoid frivolous delay tactics.
- 3. Substantive Defense Recognition** - Retaliatory eviction constitutes a substantive defense rather than a procedural protection, warranting full consideration on the merits rather than dismissal on pleading technicalities. *Anticipated Rebuttals:* Even substantive defenses must meet minimum pleading requirements to provide adequate notice and enable proper case management in summary proceedings.

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### Supporting Liberal Pleading Standards


 [Schweiger v. Superior Court, 3 Cal.3d 507 \(1970\)](#) — The California Supreme Court established retaliatory eviction as a viable defense in unlawful detainer proceedings without imposing specific pleading requirements. The court prioritized public policy protection over procedural formalities, reasoning that effective housing code enforcement depends on protecting tenants who report violations.

 [Barela v. Superior Court, 30 Cal.3d 244 \(1981\)](#) — The California Supreme Court expanded retaliatory eviction protection to include retaliation for reporting crimes to police, demonstrating liberal interpretation of protected activities. The court emphasized substantive protection over procedural limitations, holding that tenants may assert retaliatory eviction for exercising any legal rights.

 [Kemp v. Schultz, 121 Cal.App.3d Supp. 13 \(1981\)](#) — The appellate court allowed retaliatory eviction defense based solely on oral complaint to landlord without written governmental complaint. The court applied liberal standards focusing on substance over form, rejecting technical pleading requirements that would undermine tenant protection.

### Supporting Stricter Pleading Requirements

 [Western Land Office, Inc. v. Cervantes, 175 Cal.App.3d 724 \(1985\)](#) — The Court of Appeal established that tenants bear the burden of proving retaliatory motive by preponderance of evidence at trial. The court emphasized proper burden allocation and evidentiary standards, focusing on consistency in applying statutory requirements.

 [S.P. Growers Assn. v. Rodriguez, 17 Cal.3d 719 \(1976\)](#) — The California Supreme Court required balancing between public policy and the summary nature of unlawful detainer proceedings when allowing affirmative defenses. The court recognized limits on defense availability, holding that not all policy considerations justify disrupting expedited possession procedures.

## Practical Implications

Timing considerations are crucial for tenants facing unlawful detainer actions, as they must

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pleading requirements that would undermine tenant protection.

## Practical Implications

Timing considerations are crucial for tenants facing unlawful detainer actions, as they must file responsive pleadings within five calendar days of service. This compressed timeframe makes immediate legal representation essential for preserving retaliatory eviction defenses and ensuring proper factual development. Tenants should maintain comprehensive documentation of protected activities, including complaints to agencies, tenant organizing activities, and habitability issues, as they bear the burden of proving retaliatory motive at trial.

The liberal pleading standards in California allow tenants to assert retaliatory eviction defenses without extensive factual detail, but strategic considerations favor including specific allegations about protected activities, timing, and retaliatory conduct. This approach provides adequate notice to landlords while avoiding overly restrictive pleading requirements that could undermine tenant protection. The dual availability of statutory and common law retaliatory eviction protections offers tenants multiple avenues for defense, allowing strategic flexibility in responding to different factual scenarios.

Documentation strategy becomes particularly important given the burden of proof requirements established in *W. Land Off., Inc. v. Cervantes*. Tenants should preserve evidence of protected activities, landlord knowledge of such activities, and the temporal relationship between protected conduct and alleged retaliation. The good faith defense available to landlords under Civil Code Section 1942.5(g) requires tenants to be prepared to address legitimate business reasons for landlord actions.

## Recent Developments

Recent case law demonstrates evolving applications of retaliatory eviction doctrine to contemporary housing disputes. [Runnymede Holdings, LLC v. Foster, 96 Cal.App.5th Supp. 1 \(2023\)](#) shows courts applying retaliatory eviction analysis to pandemic-related eviction strategies, including attempts to circumvent tenant protection laws through creative lease modifications. The case reflects judicial willingness to examine landlord motivations even when facially legitimate grounds exist for eviction actions.

The intersection of retaliatory eviction law with local ordinance protections has gained

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In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?



JO Julianne Odin • Jan 25, 1:32 PM

In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?

Agent Time: -10 min • California

Westlaw • Jan 25, 1:39 PM

In an unlawful detainer suit, what must a tenant's answer contain to make a claim of...

▶ Research contents

▼ Research steps

- ✔ Researching the statutory requirements for tenant answers in unlawful detainer proceedings under California Code of Civil Procedure Section 1170.5 and related provisions.
  - Found Code of Civil Procedure Section 1170.5 does not contain specific pleading requirements for tenant answers. The answer requirements are governed by general CCP provisions, with Civil Code Section 1942.5 providing the substantive law for retaliatory eviction claims.
- ✔ Examining the elements required to plead a
  -

assert multiple overlapping protections.

Technology and digital communications are increasingly relevant to retaliatory eviction claims, as courts accept electronic records and communications as evidence of both protected tenant activities and landlord retaliatory conduct. This evolution reflects broader changes in how landlord-tenant relationships are documented and managed in contemporary housing markets.

### Related Issues

- **Breach of warranty of habitability claims** that often arise when tenant complaints about habitability conditions trigger landlord retaliation, creating overlapping defenses in unlawful detainer proceedings
- **Housing discrimination claims** where retaliatory eviction may intersect with discrimination based on protected characteristics, particularly when tenant organizing or complaint activities correlate with demographic factors
- **Rent control and just cause eviction ordinance violations** that frequently accompany retaliatory eviction defenses, as landlords may attempt to circumvent local protections through retaliatory conduct
- **Domestic violence protections under Code of Civil Procedure Section 1161.3** that provide overlapping safeguards for tenants facing eviction after domestic violence incidents, particularly when reporting abuse triggers landlord retaliation

### Commentary on This Question

In California, a tenant's answer in an unlawful detainer suit asserting a claim of retaliatory eviction must specifically plead the affirmative defense under Civil Code § 1942.5. This statute protects residential tenants from eviction, rent increases, or reduction of services taken in retaliation for exercising legally protected rights, such as complaining about habitability or reporting housing code violations. The tenant must allege that the eviction is motivated by retaliation within 180 days following such protected activities, provided the tenant is not in default on rent and claims the protections only once every 12 months. The tenant's pleading should identify circumstances that show the eviction is a direct response to the tenant's protected conduct, including complaints about habitability or engagement in tenant organizing activities [CALANDTEN CH 7-D](#), [CALANDTEN CH 8-D](#).

Ask a follow-up question about this response



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- ✓ Examining the elements required to plead a...

Ask a follow-up question about this response



Research report Enhance Sources (19)

## Summary

In California unlawful detainer suits, a tenant's answer claiming retaliatory eviction must contain sufficient factual allegations to provide fair notice of the defense but need not prove the case in the pleadings. The answer must identify: (1) the specific protected tenant activity that occurred, (2) that the landlord's retaliatory conduct occurred within 180 days of the protected activity, (3) that the tenant was not in default on rent payments, and (4) the specific retaliatory conduct by the landlord. California follows liberal notice pleading standards for retaliatory eviction defenses, prioritizing substantive protection over procedural technicalities, while placing the burden on the tenant to prove retaliatory motive by a preponderance of evidence at trial.

## Statutory Framework and Essential Elements

California Civil Code Section 1942.5 establishes the substantive law governing retaliatory eviction claims [CA CIVIL § 1942.5](#). Under this statute, a tenant asserting retaliatory eviction must establish four core elements in their answer. First, the tenant must identify protected activity, which includes giving notice under Section 1942, providing notice of bed bug infestation, making oral complaints regarding tenantability, filing written or recorded oral complaints with appropriate agencies, participating in inspections resulting from complaints, filing judicial or arbitration proceedings involving tenantability, or lawfully organizing or participating in tenant associations [CA CIVIL § 1942.5](#).

Second, the retaliatory conduct must have occurred within 180 days of the protected activity, with the period running from the latest applicable date if multiple protected activities occurred [CA CIVIL § 1942.5](#). Third, the tenant must not be in default as to rent payment at the time of the alleged retaliation [CA CIVIL § 1942.5](#). Fourth, the answer must identify specific prohibited landlord conduct, including attempts to recover possession, cause involuntary departure, increase rent, or decrease services [CA CIVIL § 1942.5](#).

The California Supreme Court in *Barela v. Superior Court* expanded retaliatory eviction protections beyond tenantability complaints, holding that the defense applies when landlords retaliate for tenants exercising "any rights under the law" [Barela v. Superior Court, 30 Cal.3d 244 \(1981\)](#). This broad interpretation allows tenants to assert retaliatory eviction defenses for a wide range of protected activities, including reporting criminal

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✓ Examining the elements required to plead a...

Ask a follow-up question about this response



Research report Enhance Sources (19)

Filters coming soon

1. [§ 1942.5. Retaliation; prohibited acts; violations; remedies; penalties](#)

CA CIVIL § 1942.5

#### AI document summary

Establishing statutory protection against retaliatory eviction, including protected activities, timing requirements, and tenant obligations regarding rent default

#### Supporting section

< 1 of 2 >

...In each instance, the 180-day period shall run from the latest applicable date referred to in paragraphs (1) to (5), inclusive....

2. [Barela v. Superior Court](#)

Supreme Court of California. • November 27, 1981 • 30 Cal.3d 244 • 636 P.2d 582

#### AI document summary

Expanding retaliatory eviction protection to include retaliation for reporting crimes to police and other lawful activities beyond tenantability complaints

3. [Rule 2.17. Unlawful Detainers](#)

CA R MARIN SUPER CT Rule 2.17

#### AI document summary

Establishing five calendar day deadline for defendant responses to unlawful detainer complaints and expedited hearing schedules for related motions

#### Supporting section

...1. Upon the service of an unlawful detainer summons and complaint, the defendant has five (5) calendar days to file a response....

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- ✓ Examining the elements required to plead a claim of retaliatory eviction in California.

Ask a follow-up question about this response



nevertheless prevail by asserting a bona fide interest to withdraw the property from the rental market. Such circumstances were present in a California case in which

## Additional Sources

These sources are not cited in your report, but can provide context that may be helpful.

17. [Defending an Unlawful Detainer Action \(CA\)](#)

Practice Note • Maintained • California

Practical Law resource summary

A Practice Note discussing the key issues and strategies for counsel defending a tenant against an unlawful detainer action in California state court. This Practice Note explains how to challenge the landlord's case at the pleading stage through a motion to quash service of summons, a demurrer, or a motion to strike. It also addresses how to assert defenses through a motion for summary judgment or at trial. This Note details common affirmative and equitable defenses available to tenants, including breach of the implied warranty of habitability,

18. [Unlawful Detainer Complaint \(CA\)](#)

Standard Document • Maintained • California

Practical Law resource summary

A Standard Document that a landlord may use to commence an unlawful detainer action to evict a commercial or residential tenant in California superior court. This Standard Document is a sample verified complaint that can be adapted for either a limited or unlimited civil action. It provides guidance on drafting the essential components of the complaint, including the caption, parties, jurisdiction, venue, factual allegations, causes of action, and the demand for relief. It also explains how to plead the necessary elements to recover possession

19. [Stipulation for Entry of Unlawful Detainer Judgment \(CA\)](#)

Standard Document • Maintained • California

Practical Law resource summary

A Standard Document that parties in a California superior court can use to settle

# Westlaw AI Deep Research

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- ✓ Examining the elements required to plead a claim of retaliatory eviction.

Ask a follow-up question about this response



Research report Enhance Sources (19)

Enhance your report by answering any of the optional questions below to get a more tailored analysis of your legal issue.

What specific type of protected activity did you engage in (complaints to government agencies, tenant organizing, habitability complaints to landlord, etc.)?

Posting a political sign endorsing a candidate for local office in the yard of the rental property.

When did the protected activity occur in relation to when the landlord served the eviction notice or filed the unlawful detainer action?

The sign was posted 6 weeks before the action was filed.

Are you current on all rent payments, or have there been any missed or late payments that the landlord might cite as grounds for eviction?

Tenant is current on all rent payments and has paid all rent payments on time.

What specific retaliatory conduct did the landlord engage in (eviction notice, rent increase, reduction of services, threats, etc.)?

Landlord threatened to evict tenant 1 week after political sign was posted.

Do you have documentation of your protected activity, such as copies of complaints to agencies, emails, letters, or witness statements?

Tenant made a Facebook post including picture of political sign in the yard of the rental property.



## Westlaw AI Deep Research

+ Start new research

V2: In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?



JO Julianne Odin • Jan 25, 2:01 PM

Enhance "In an unlawful deta..." based on the answers to supplemental questions.

Westlaw • Jan 25, 2:08 PM

V2: In an unlawful detainer suit, what must a tenant's answer contain to make a claim of...

## ▶ Research contents

## ▼ Research steps

- ✓ Researching California Civil Code Section 1942.5 and related statutes defining retaliatory eviction and protected tenant activities
  - Political expression/posting political signs is NOT protected activity under Civil Code Section 1942.5, which defines specific activities like housing code complaints and tenant organizing
- ✓ Analyzing California case law interpreting retaliatory eviction defenses and the required elements for establishing retaliation claims
  - Barela broadened retaliatory eviction to cover exercise of "any rights under the law" but constitutional claims were expressly not reached by court

Ask a follow-up question about this response



V2: In an unlawful detainer suit, what must a tenant's answer contain to make a claim of retaliatory eviction?

Research report Enhance Sources (12)

## Summary

In California, a tenant's answer asserting retaliatory eviction based on posting political signs must contain factual allegations providing fair notice of: (1) the specific protected activity (posting a political sign within statutory parameters under Civil Code Section 1940.4), (2) the temporal relationship between the protected activity and the landlord's retaliatory conduct (occurring within 180 days), (3) that the tenant was current on rent payments, and (4) the specific retaliatory conduct by the landlord. California follows liberal notice pleading standards that require sufficient allegations to provide fair notice rather than detailed factual proof. Political sign posting constitutes exercising "rights under the law" protected by Civil Code Section 1942.5(d) when conducted within the statutory framework of Section 1940.4.

## Protected Activity Under California Law

Political sign posting by tenants receives explicit statutory protection under California Civil Code Section 1940.4, which provides that "a landlord shall not prohibit a tenant from posting or displaying political signs relating to any of the following: (1) An election or legislative vote, including an election of a candidate to public office; (2) The initiative, referendum, or recall process; (3) Issues that are before a public commission, public board, or elected local body for a vote" [CA CIVIL § 1940.4](#). The statute permits signs up to six square feet in size and establishes timing requirements that "shall begin at least 90 days prior to the date of the election or vote to which the sign relates and end at least 15 days following the date of the election or vote" [CA CIVIL § 1940.4](#).

This specific statutory right to political expression constitutes exercising "rights under the law" protected by Civil Code Section 1942.5(d), which prohibits landlords from retaliating against tenants who have "lawfully and peaceably exercised any rights under the law" [CA CIVIL § 1942.5](#). The California Supreme Court in *Barela v. Superior Court* established that this protection extends beyond housing-specific rights to encompass fundamental legal rights protected by state law, holding that "every citizen has a right protected by state law to report criminal violations to the police" and that exercising this right triggers retaliatory eviction protection [Barela v. Superior Court, 30 Cal.3d 244 \(1981\)](#). The court's broad interpretation of "any rights under the law" supports the conclusion that posting political signs within statutory parameters qualifies as protected activity.

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Draft 20 deposition questions for a neighbor claiming adverse possession in a property boundary dispute



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Identify potential affirmative defenses based on the allegations in the complaint



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Get a survey of the law across jurisdictions based on a legal research question



### Allegation summary email

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### Arguments and counterarguments

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Julianne - 5:35 PM

Could you briefly explain how to get started with the Prepare for a Deposition skill?

CoCounsel - 5:35 PM

To get started with the Prepare for a Deposition skill, you'll need to provide the following information:

- Case Type:** Specify the type of case the deposition is for.
- Deposing Party:** Identify the party taking the deposition.
- Deponent:** Name the person being deposed.
- Expert Witness:** Indicate whether the deponent is an expert witness.
- Represented Party:** State the party for whom the deponent testifies.
- User Input:** Include any additional context or topics to focus on during the deposition.

You can also upload relevant documents to help generate more targeted questions.

Julianne - 5:39 PM

1. Unlawful detainer suit in California 2. Tenant 3. Carl Owner 4. Deponent is not an expert witness. 5. Landlord 6. Tenant had repeatedly complained about mold in the apartment.

Prepare for a Deposition

Download

Tenant's Complaints

- Do you recall the tenant complaining about mold in their apartment?

What would you like to do today?

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Prepare for a Deposition

Download

Tenant's Complaints

- Do you recall the tenant complaining about mold in their apartment?
- When was the first time you heard about this complaint?
- How did the tenant communicate this complaint to you (e.g., phone call, email, text message, in person)?
- Can you describe the tenant's initial complaint regarding the mold? What specifically did they say?
- Did the tenant provide any photos or videos of the alleged mold?
- After the initial complaint, did the tenant complain about the mold again? If so, when and how?
- What was your response to each of the tenant's complaints?
- Did you document these complaints and your responses? If so, how?

Inspection of the Premises

- After receiving the tenant's complaint(s), did you inspect the apartment? If so, when?
- Who was present during the inspection(s)?
- Can you describe what you observed during the inspection(s)?
- Did you see any mold? If so, can you describe its location, appearance, and extent?
- Did you take any photos or videos of the apartment during the inspection(s)?
- Did you hire any professionals, such as a mold inspector or remediator, to inspect the apartment? If so, who?
- If a professional inspected the apartment, please provide their name and contact information.
- When did the professional(s) inspect the apartment?
- What were the findings of the professional inspection(s)? Do you have a copy of their report?
- Did you share the findings of the professional inspection(s) with the tenant? If so, how?

Remediation Efforts

- Did you take any steps to address the mold issue? If so, what steps?

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JO Julianne - Sep 5 02:34 PM

Are there any restrictions on the ability of a landlord to terminate a tenancy in a mobile home park in California?

CoCounsel - Sep 5 02:34 PM

Skill: Westlaw AI Deep Research

### Westlaw AI Deep Research

What sources do you want your answer to use?

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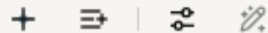
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👤 I represent a tenant in an unlawful detainer suit. I will be arguing that my client has an affirmative defense of retaliatory eviction based on complaining about the habitability of the dwelling. Suggest 10 questions the judge might ask me in our initial hearing.

📄 Copy
⇒ Save prompt
✎ Edit query

**H** Finished in 3 steps ^

- Assessing query
- Formulating key legal questions ^

I need to ensure a professional tone here. I'm thinking I should also include variations, like asking, "What is the statutory basis in this jurisdiction?" Additionally, the judge might inquire about matters such as a stay of eviction, the tender of rent into the registry, escrow, and mitigation. So, I'm planning to come up with around 10 bolded questions to cover these aspects effectively. Let's make sure they're clear and relevant!

- Answering

Here are ten focused questions a judge is likely to ask at an initial hearing when a tenant asserts retaliatory eviction based on habitability complaints:

- What is the statutory or ordinance basis for your retaliatory eviction defense in this jurisdiction, and what elements must you prove?**

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Here are ten focused questions a judge is likely to ask at an initial hearing when a tenant asserts retaliatory eviction based on habitability complaints:

- **What is the statutory or ordinance basis for your retaliatory eviction defense in this jurisdiction, and what elements must you prove?**
- **When did your client make the habitability complaints, to whom were they made, and in what form (written, email, agency report, etc.)?**
- **What specific conditions were reported, and how do those conditions materially affect health or safety or the unit's habitability?**
- **What evidence do you have that the landlord knew about the complaints before serving the notice to quit or filing the action?**
- **What is the timeline between the protected activity (complaint, inspection request, etc.) and the notice to quit or filing—are you relying on any statutory presumption of retaliation?**
- **Did any governmental agency inspect the premises, issue a citation, or document violations—and if so, what were the findings and dates?**
- **Was the tenant current on rent or otherwise complying with material lease obligations at the time of the complaint and at the time of the notice?**
- **What non-retaliatory reasons has the landlord asserted for the eviction, and what evidence do you have that those reasons are pretextual?**
- **What remedial steps, if any, did the landlord take after the complaint (access offered, repairs made, timelines), and how did the tenant respond to access requests?**
- **What relief are you seeking at this stage (e.g., dismissal, stay, abatement, attorney's fees, civil penalties), and on what legal authority?**

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⚙️ Settings

👉 Help

- Was the tenant current on rent or otherwise complying with material lease obligations at the time of the complaint and at the time of the notice?
- What non-retaliatory reasons has the landlord asserted for the eviction, and what evidence do you have that those reasons are pretextual?
- What remedial steps, if any, did the landlord take after the complaint (access offered, repairs made, timelines), and how did the tenant respond to access requests?
- What relief are you seeking at this stage (e.g., dismissal, stay, abatement, attorney's fees, civil penalties), and on what legal authority?

📄 Copy ↓ Export ↻ Rewrite 📄 Open in editor Rate the response 👍 🗨

Here are some next steps you may want to take:

- ↳ Expand on how the statutory or ordinance basis for the retaliatory eviction defense influences the elements a tenant must prove
- ↳ Describe how the form and recipient of the habitability complaints might impact the strength of the tenant's defense
- ↳ Evaluate the significance of a governmental agency's inspection findings and dates in supporting a retaliatory eviction claim
- ↳ Explain how the landlord's asserted non-retaliatory reasons for eviction can be challenged as pretextual based on the evidence presented

Ask Harvey

+ ≡ 🔍 ✎ →

# Evaluating AI-Generated Content

<b>Usage: “Did I use the right tool?”</b>	<b>Input: “Did I use an effective prompt?”</b>	<b>Output: “Did the tool give an acceptable response?”</b>
<ul style="list-style-type: none"><li>• Designed purpose of tool</li><li>• Scope of training and/or RAG</li><li>• Tool transparency</li></ul>	<ul style="list-style-type: none"><li>• Considerations for effective use (RICE)</li><li>• Influence of follow-up interactions</li><li>• Missing perspectives from prompts</li></ul>	<ul style="list-style-type: none"><li>• Source &amp; accuracy verification</li><li>• Bias &amp; perspective in response</li><li>• Interaction dynamic between AI &amp; user</li><li>• Critical evaluation considering ultimate research objective</li></ul>

Adapted from Mary Ann Naumann, Re-Engineering Research: Integrating Generative AI & Prompt Engineering into Information Literacy Programs (June 30, 2024).

# Final Gen AI Reminders

- Follow all policies and rules on when and how you can use gen AI.
- When required, disclose what tool you used and what you used it for.
- Ask ahead of time if you're not sure whether you should or should not use a tool.
- [LRC Guide to Generative AI Tools for USD Law Students](#)

# **LRC Reference**

[lrcrefer@sandiego.edu](mailto:lrcrefer@sandiego.edu)

619.260.4612

Chat: [sandiego.edu/law/library](https://sandiego.edu/law/library)

Book an appointment: [law-sandiego.libcal.com/appointments](https://law-sandiego.libcal.com/appointments)

In-person

Monday: 9am – 6pm

Tuesday – Friday: 9am – 5pm

Reference hours at the clinics: [bit.ly/LRC-Clinics](https://bit.ly/LRC-Clinics)

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