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## 1: Introduction

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I. [§31.1] SCOPE OF BENCHGUIDE II. [§31.2] PROCEDURAL  
CHECKLIST: PRELIMINARY MATTERS III. APPLICABLE  
LAW A. [§31.3] General Background B. [§31.4] Jurisdiction C.  
Venue 1. [§31.5] Venue Allegations 2. [§31.6] Transfer of Action

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## D. Pleadings/Summons 1.

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§31.9 California Judges Benchguide 31§12. The fact that a defendant in an unlawful detainer action has five, not 30, days to file a response does not violate the due process or equal protection clauses of the federal or state constitutions. California Judges Benchguide Unlawful

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does not violate the due process or equal protection clauses of the federal or state constitutions. Deal v Municipal Court (1984) 157 CA3d 991, 994, 998,

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LITIGATION: UNLAWFUL DETAINER §31.1 California Judges Benchguide 31.4 (3) [§31.85oval of Occupants Not Named in ] Rem Writ (4) [§31.86] Service of Writ by Registered Process Server (5) [§31.87 Effect of Tenant's

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California Judges Benchguide For Unlawful Detainer Landlords and tenants can have disagreements, including about the right to live at a certain property. These cases are called "unlawful detainer" (UD) cases. A UD complaint initiates a court proceeding to evict someone from where they live or work. Get help for landlords and tenants, below.

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disputed, the judge may ask counsel to submit memoranda of points  
and authorities to assist the judge in ruling on the disputed issues.  
Although the summary nature of unlawful detainer proceedings  
does not lend itself to long briefing schedules, it is appropriate for  
the judge to LANDLORD-TENANT LITIGATION: UNLAWFUL  
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Benchguide Unlawful Detainer An unlawful detainer proceeding is  
usually initiated by serving the tenant with a 3-day notice to pay

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rent or quit (CCP §1161(2)(3)) or a 30- day or 60day - notice of termination of a residential tenancy (CC §§1946, 1946.1).

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