

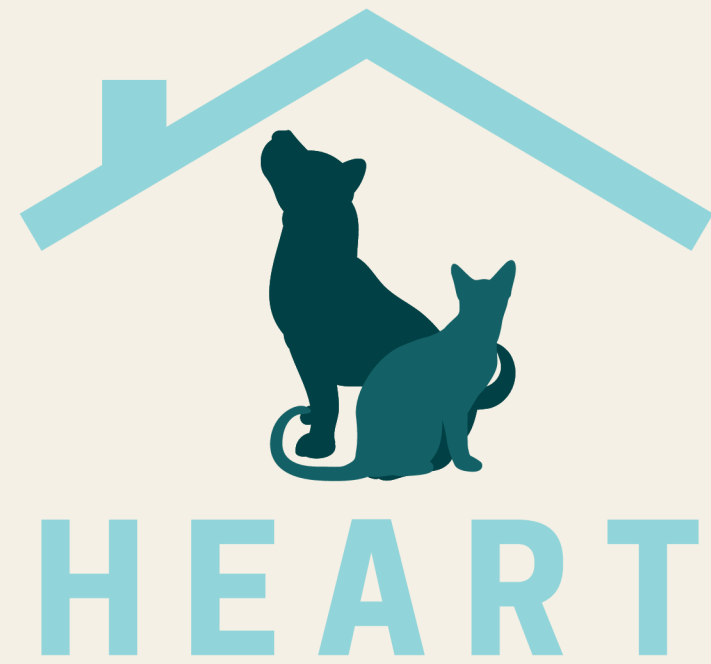
Keeping People & their Pets Together



LALAWLIBRARY & **HEART**
HOUSING EQUITY & ADVOCACY RESOURCE TEAM

The central graphic features the LALAWLIBRARY logo on the left, an ampersand in the middle, and the HEART logo on the right. The HEART logo includes a house icon with a cat and dog silhouette inside. Below the HEART logo is the text 'HOUSING EQUITY & ADVOCACY RESOURCE TEAM'.

October 2024



Programs we Provide:

- ★ Education & Outreach
- ★ Free Legal Representation to Prevent Evictions
- ★ Technical Assistance (providing advice & resources)
- ★ Policy Advocacy



Land Acknowledgement

Text (907) 312-5085

<https://native-land.ca>



Learning Goals

By the end of this presentation, you will be able to:

- ✦ **Understand the eviction process**
- ✦ **Understand legal protections for tenants with pets**
- ✦ **Understand fair housing laws for tenants with support animals**

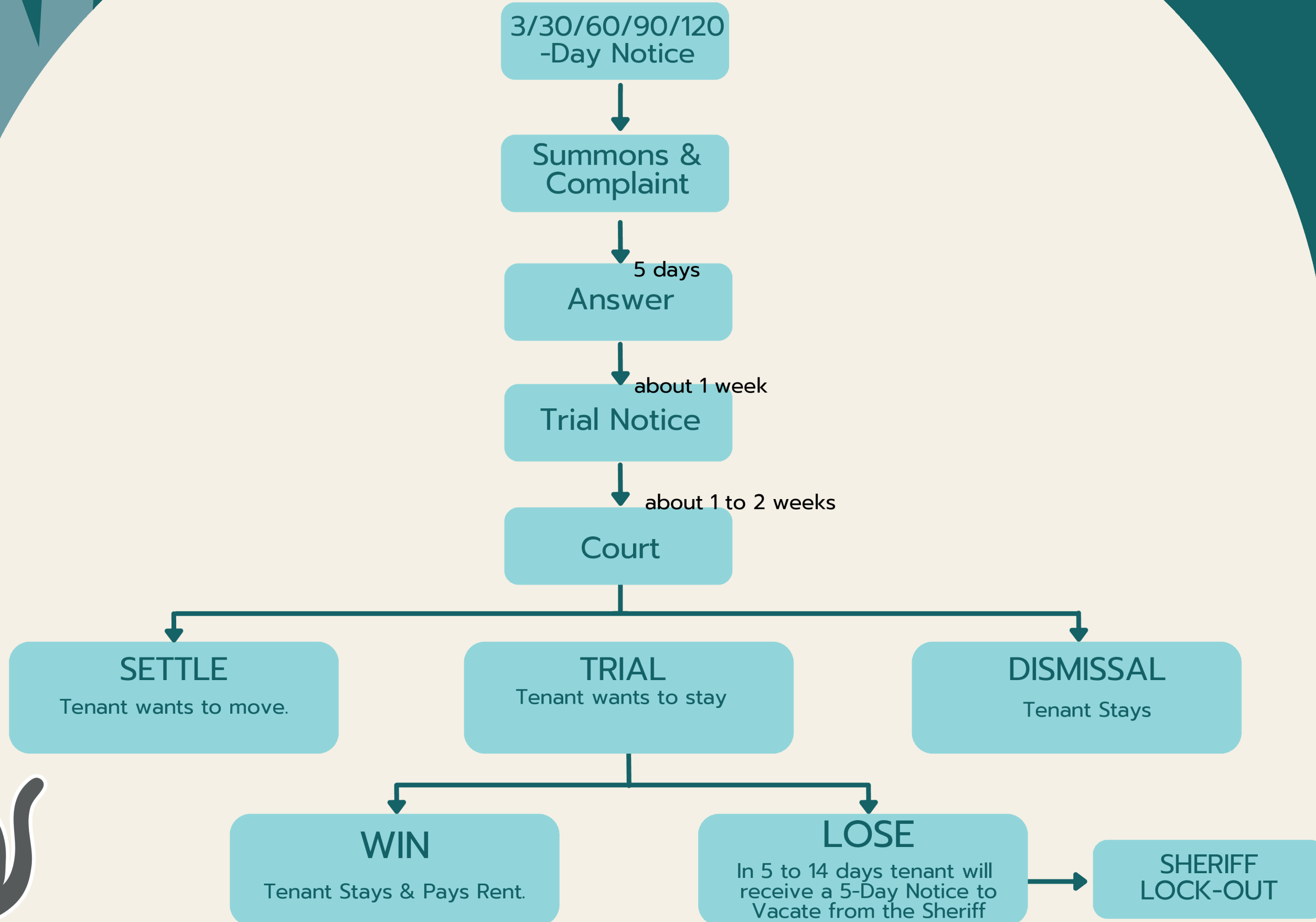




**A landlord tells the tenant
they need to remove their
pet**



The Unlawful Detainer (Eviction) Process



**SUMMONS
(CITACIÓN JUDICIAL)**

**UNLAWFUL DETAINER—EVICTION
(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)**

SUM-130

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 5 days. You have 5 DAYS, not counting Saturdays and Sundays and other judicial holidays, after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services website (www.lawhelpca.org), the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), or by contacting your local court or county bar association.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Usted ha sido demandado. Si no responde dentro de 5 días, el tribunal puede emitir un fallo en su contra sin una audiencia. Una vez que le entreguen esta citación y papeles legales, solo tiene 5 DÍAS, sin contar sábado y domingo y otros días feriados del tribunal, para presentar una respuesta por escrito en este tribunal y hacer que se entregue una copia al demandante.

Una carta o una llamada telefónica no lo protege. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no presenta su respuesta a tiempo, puede perder el caso por falta de comparecencia y se le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados local.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos con un gravamen sobre cualquier cantidad de \$10,000 ó más recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desestimar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER (número del caso):

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Page 1 of 2

Owner files "Summons" and "Complaint – Unlawful Detainer" (Eviction lawsuit)

Stanley Mosk Courthouse
111 North Hill Street, Los Angeles, CA 90012

CASE NUMBER: 22STUD0XXXX
Date Filed: 05/25/2022

**NOTICE OF UNLAWFUL DETAINER
(EVICTION)**

FILED
Superior Court of California
County of Los Angeles
05/26/2022

Sherri R. Carter, Executive Officer / Clerk of Court
By: N. Bullock, Deputy

XXXXXXXXXXXX
XXXXXXXXXXXXe1

Los Angeles, CA 90031

OSCAR GOMEZ vs XXXXXXXXXXXXXXXX, et al.

An Unlawful Detainer complaint (eviction action) has been filed, naming you as a defendant.

NOTICE FROM THE STATE OF CALIFORNIA: If you completed an application for government rental assistance on or before March 31, 2022, you may have protections against eviction. For information about legal resources that may be available to you, visit lawhelpca.org.

The following organizations, among others, may be contacted for legal advice:

- StayHousedLA.org (888) 694-0040
- Community Legal Aid SoCal (800) 834-5001
- Shriver Self Help Center (Located at Stanley Mosk Courthouse) (818) 485-0576
- Bet Tzudek Legal Services (L.A. County) (323) 939-0506
- Legal Aid Foundation of Los Angeles (800) 399-4579
- Neighborhood Legal Services of Los Angeles (800) 433-6251
- Los Angeles County Bar Association-Smart Law (213) 243-1525

The State Bar of California certifies lawyer referral service in California and publishes a list of certified lawyer referral services organized by county. To locate a lawyer referral service in your county, go to the State Bar's website at www.calbar.ca.gov or call 1-866-442-7579.

Persons with disabilities may ask for an accommodation by filling out a REQUEST FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES form (Judicial Council Form MC-410). Forms are available in the clerk's office, on the court's website, or they will be mailed if requested. Deliver the completed form to the clerk or ADA Coordinator at the courthouse where your case is being handled. Form MC-410, and any other pleadings in this case, may be filed by fax. For more information, contact the ADA Coordinator's office at (213) 633-5882 or visit the court's website at www.lacourt.org.

If you need a Spanish language interpreter for an eviction case, interpreters are available at each courthouse. If you need an interpreter in another language for a courtroom activity, please request one before your court date through the Interpreter Request Portal found on the court's website by clicking the Self-Help Resources tab located on the home page at www.lacourt.org. The court will try very hard to find an interpreter for the date and time of your hearing, but it cannot guarantee that one will be immediately available.

Within the first 60 days after the date of filing, only the following people can look at the case file:

- 1) Any person or company listed on the lawsuit,
- 2) An attorney for one of those people or companies,
- 3) Any other person who can give to the clerk: (a) The name of at least one plaintiff and one defendant in the lawsuit and the address, including any applicable apartment, unit, or space number of that address, (b) The name of one of the people or companies in the lawsuit or the case number. This person will also have to prove that she or he lives at that address by showing valid identification.

People who do not meet the requirements described above cannot access the court index, register of actions, or other court records until 60 days after the complaint is filed, except with an ex parte order upon a showing of good cause.

Este documento contiene información importante. Para leerlo en español, consulte la sección División Civil (Civil Division) del sitio web de la corte superior de Los Angeles. Văn kiện này có tin tức quan trọng. Muốn đọc bằng tiếng Việt, hãy đến phần Ban Hộ Sự (Dân Sự) (Civil Division) trên website của Tòa Thượng Thẩm Los Angeles. 本文档包含重要信息。欲阅读简体中文版，请访问洛杉矶高等法院网站。 此文件包含重要信息。欲阅读简体中文版，请访问洛杉矶高等法院网站。 欲阅读简体中文版，请访问洛杉矶高等法院网站。 이 문서에는 중요한 정보가 포함되어 있습니다. 이 문서를 한국어로 읽으려면 로스앤젤레스 상급 법원 웹사이트(Civil Division)에서 검색하십시오.

CERTIFICATE OF MAILING

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Unlawful Detainer (Eviction) upon each party or counsel named below and to "All Occupants" at the subject premises by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Los Angeles California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Sherri R. Carter, Executive Officer / Clerk of Court

By: N. Bullock

Deputy Clerk

Date: 05/26/2022

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
COURT SERVICES DIVISION

NOTICE TO VACATE

CASE NUMBER: 0300001

TO: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor.

By virtue of a *Writ of Possession of Real Property*, a copy of which is attached,
YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: FEBRUARY 24, 20 04.

SHERIFF'S BRANCH (Name, Address and Telephone Number)

L.A. COUNTY SHERIFF'S DEPT.
COUNTY COURT HOUSE
110 N. GRAND AVE., RM 525
LOS ANGELES, CA 90012

LERROY D. BACA, SHERIFF

By: J-6

Date: 2-19-04 Deputy

76N654E SH-CI-52 (REV. 9/94)

NOTICE TO VACATE

Did they receive any written document from the owner/management?



Notices to Quit

Tenant gets
3/30/60/90/120-
Day Notice to move
out.

The Owner must
issue a **WRITTEN
NOTICE.**

Verbal notices are
not valid.

3 DAY NOTICE TO PERFORM OR QUIT

Ralph Furley
1712 Someplace Ln
Thothertown, 90210
2177175641

Jack Tripper
123 Homeward Place Apt. 3B
Anytown, CA 54320

DATE OF NOTICE: July 9, 2015
TENANT IN POSSESSION: Jack Tripper
LEASED PREMISES: 123 Homeward Place Apt. 3B
Anytown, CA 54320

TO ALL the Above Named Tenants & All Others in Possession:
You have violated the following terms and/or covenants of your Lease or Rental Agreement:
Possession of Illegal Substances
Within THREE (3) days after service of this notice, you must either correct this violation by:
Remove all paraphernalia
OR deliver possession of the Leased Premises to the Landlord or Agent.

FAILURE TO COMPLY within the 3 Day period required by this Notice will have the Landlord or Agent institute legal proceedings for an unlawful detainer against you to recover possession of the Leased Premises, plus court costs, attorney fees and other fees allowable under California law.

PLEASE NOTE: The landlord elects to declare the forfeiture of the rental agreement/lease under which you occupy or hold possession of the Leased Premises.

Ralph Furley

SERVICE OF NOTICE
I hereby certify that a copy of the following Notice was served upon the above named tenant(s) at the above address on the following date: _____
(Month/Day/Year) by the following means: (check all that apply)

Hand delivered to Tenant _____ X _____ SIGNATURE
PRINT NAME

Hand delivered to (person over age 18) _____ X _____ SIGNATURE
PRINT NAME AND

Regular Mail after attempting personal service. Date mailed: _____

Posted copy at the premises

Served By _____

© 2015 ezLandlordForms

15-Day Notice to Pay or Quit
(Nonpayment of Rent between September 1, 2020 and June 30, 2021)
(To be used for notices provided on or after February 1, 2021)
(Code of Civil Procedure Section 1179.03(c)(5))

TO: _____
(Name of Tenant(s))

NOTICE FROM THE STATE OF CALIFORNIA

If you are unable to pay the amount demanded in this notice, and have decreased income or increased expenses due to COVID-19, you may sign and deliver the declaration form included with your notice to your landlord within 15 days, excluding Saturdays, Sundays, and other judicial holidays, and your landlord will not be able to evict you for this missed payment so long as you make the minimum payment (see below). You will still owe this money to your landlord. You should keep a copy or picture of the signed form for your records.

If you provide the declaration form to your landlord as described above AND, on or before June 30, 2021, you pay an amount that equals at least 25 percent of each rental payment that came due or will come due during the period between September 1, 2020, and June 30, 2021, that you were unable to pay as a result of decreased income or increased expenses due to COVID-19, your landlord cannot evict you. Your landlord may require you to submit a new declaration form for each rental payment that you do not pay that comes due between September 1, 2020, and June 30, 2021.

If you were unable to pay any of the rental payments that came due between September 1, 2020, and June 30, 2021, and you provided your landlord with the declarations in response to each 15-day notice your landlord sent to you during that time period, your landlord could not evict you if, on or before June 30, 2021, you paid your landlord an amount equal to 25 percent of all the rental payments due from September 2020 through June 2021.

You will still owe the full amount of the rent to your landlord, but you cannot be evicted from your home if you comply with these requirements. You should keep careful track of what you have paid and any amount you still owe to protect your rights and avoid future disputes. Failure to respond to this notice may result in an unlawful detainer action (eviction) being filed against you.

YOU MAY QUALIFY FOR RENTAL ASSISTANCE. In addition to extending these eviction protections, the State of California, in partnership with federal and local governments, has created an emergency rental assistance program to assist renters

Page 1 of 2

Revised 1/28/2021

Tenant Protections

Waiver

- **No Take Backs!**
- If a landlord accepts rent while knowing of a lease violation (such as a pet) the landlord has **waived** the right to evict for that breach.



Retaliation

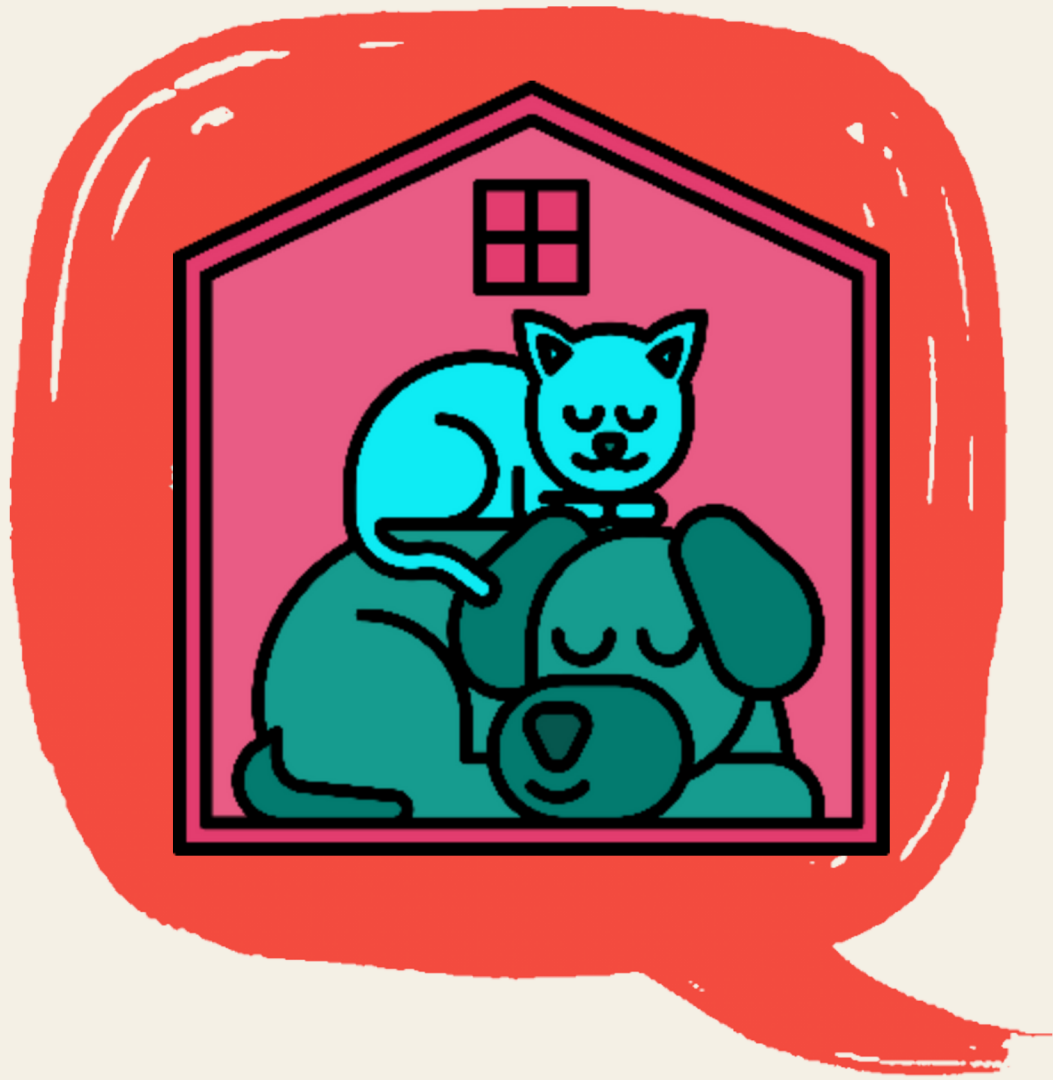
- Landlords **cannot retaliate** against tenants for exercising their rights (e.g. requesting repairs, inability to pay rent due to COVID-19, etc.).



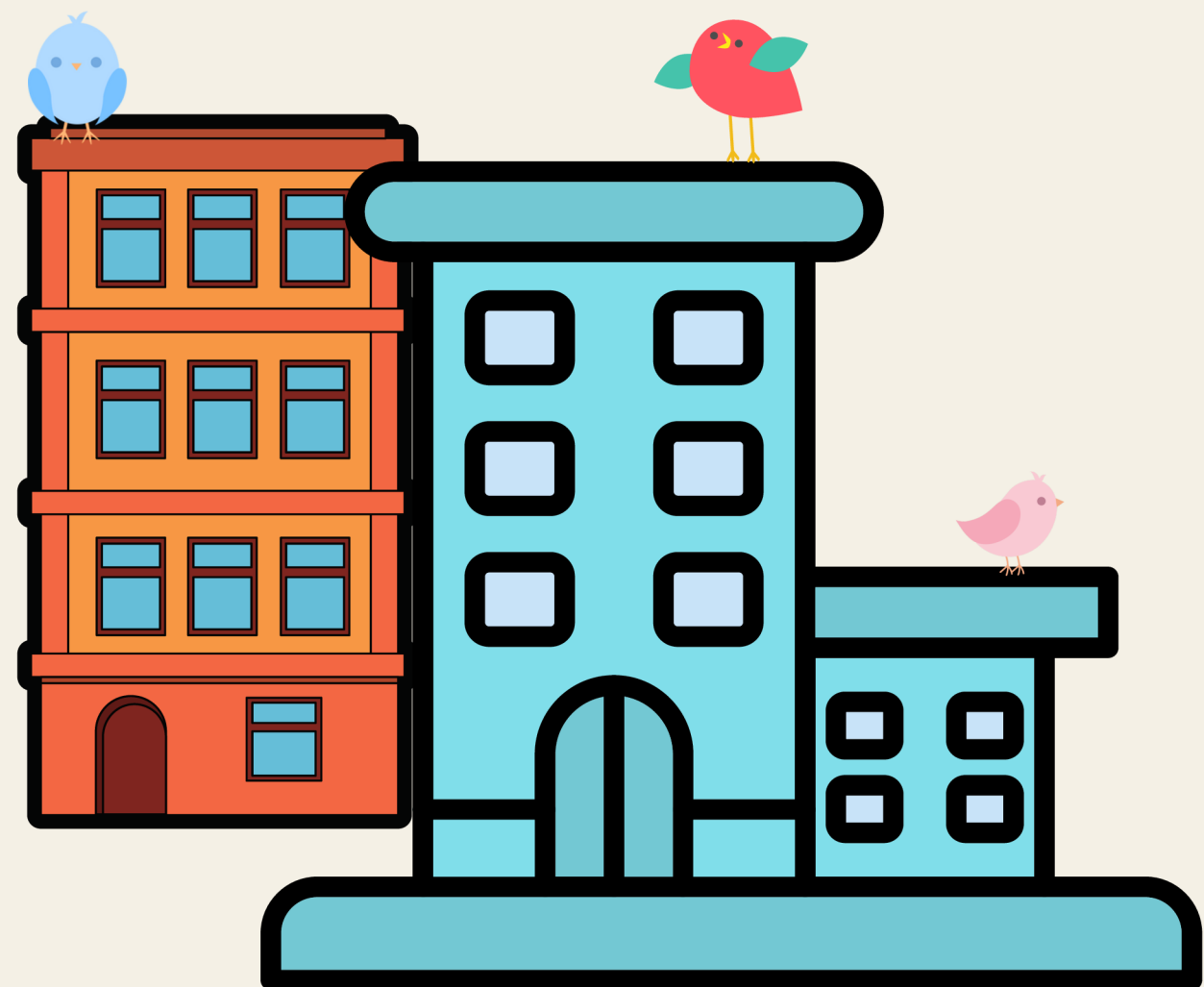
No One-Sided Changes

- Landlords cannot change the terms of the tenancy without proper notice.
- A landlord might not be able to change the terms at all.





Where do you live?



Types of Rental Housing

Single Family & Mobile Homes

- Possible rent control
- Specific regulations for mobile homes



Apartments

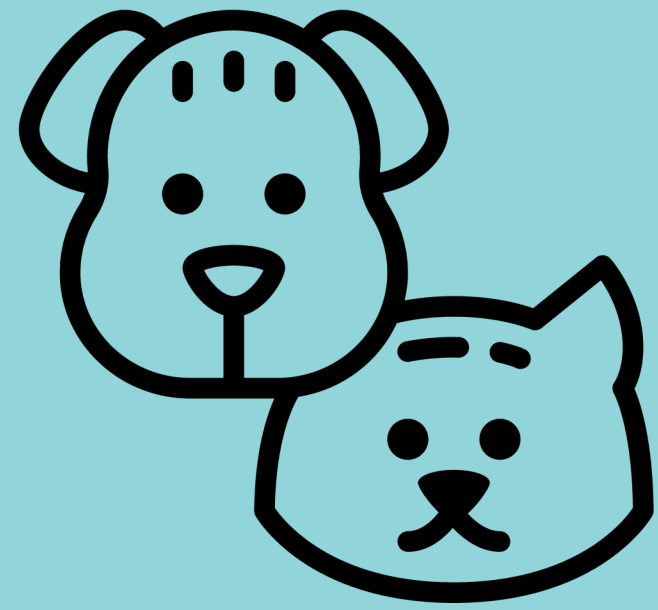
- Possible rent control
- Lease terms: yearly, month to month



Subsidized Housing

- Project based
- Section 8- Voucher choice
- Low Income Tax Credit





California Pet Friendly Housing Act **(Health & Safety Code § 50466)**

Government funded housing built on or after 2018 must allow at least one pet. Does not need to be a support animal.



LA City Protections



Emergency Tenant Protections

- A tenant cannot be evicted for a pet obtained during the pandemic. A tenant should inform their landlord of their pet to be fully protected.

Rent Control Ordinance

- Landlord can't change the terms of tenancy w/out tenant approval (ie start charging pet rent after never charging pet rent)

Fair Housing Laws

Protect Tenants from Discrimination

Federal Laws

Fair Housing
Amendments
Act (FHAA)

Americans with
Disabilities Act
(ADA)

Assistance Animals

- Support Animals-
Require NO specialized
training

- Service Animals-
Require specialized training

What is a Reasonable Accommodation?

A change or exception to rule that is
necessary and reasonable



When can a tenant ask for one?

- Tenant has a mental or physical impairment that substantially* limits one or more major life activities.
- Assistance animal performs tasks or provides emotional support that alleviates one or more of the identified symptoms or effects of the tenant's existing disability

Sample ESA Letter

A valid ESA Letter will establish that:

- The person writing the letter has knowledge of the individual's disability
- Having an ESA helps alleviate symptoms of a disability
- Provides contact information to verify the letter
- Is signed & dated

[Doctor's Letterhead]

Date

Name of Professional [therapist, physician, rehabilitation counselor]

Street Address

City, State, Zip

To Whom It May Concern:

[Full name of tenant] is my patient, and has been under my care since (date). I am familiar with his/her medical history and with the functional limitations imposed by her disability and confirm that she indeed meets the definition of disability under the American with Disabilities Act, the Fair Housing Act, and the Rehabilitation Act of 1973.

Due to [his/her disability] [REDACTED], [first name] has certain limitations regarding [state limitations relevant to situation, e.g. inability to form social bonds, listlessness, difficulty concentrating, etc.]. In order to help alleviate these difficulties, and to enhance her ability to live independently and to fully use and enjoy her dwelling unit, I recommend that [Full name of tenant] be permitted to retain at their home an emotional support animal, sometimes known as a therapy animal.

I am familiar with the professional literature concerning the therapeutic benefits of assistance animals for people with disabilities such as that experienced by [first name]. Upon request, I will share citations to relevant studies, and would be happy to answer other questions you may have concerning my recommendation that [Full Name of Tenant] have an emotional support animal.

I would be happy to answer any questions you may have about [insert tenant name]'s request. You can reach me by mail at the above-referenced address.

Sincerely,

Name of Professional

License No.



**Online certificates &/or registrations
are not legally recognized**

My healthcare provider won't provide a letter. What do I do now?




If you collect disability benefits, you can self verify.
"Individualized assessment" from any reliable third party: social worker, peer group member, or family member.



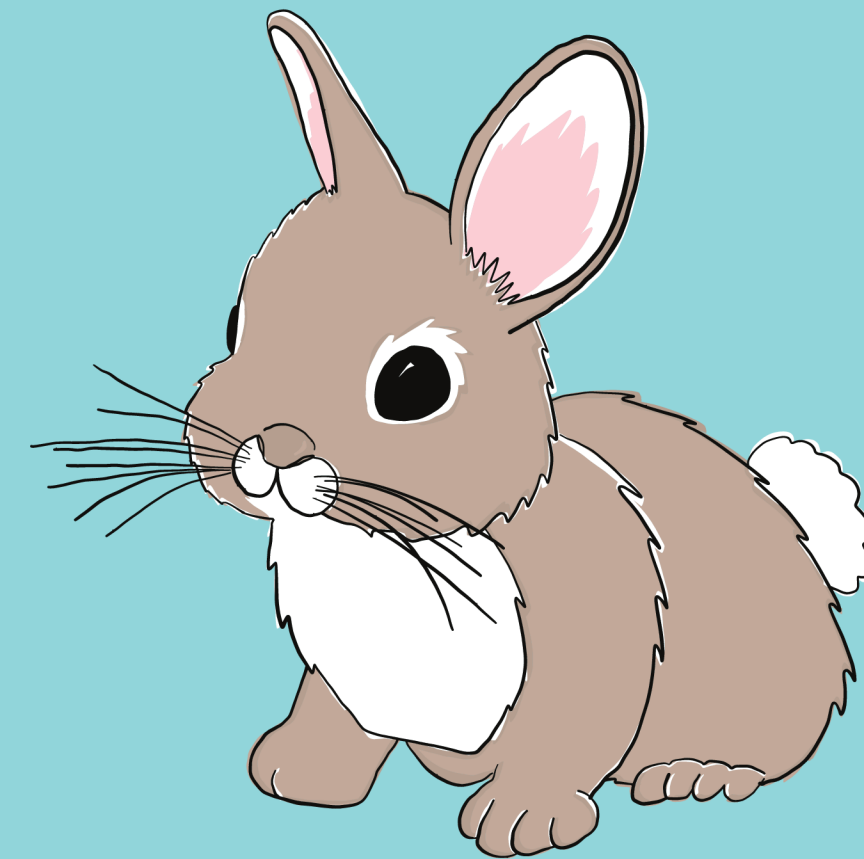
**My landlord said my
ESA letter has expired
and I need a new one**



You are NOT required to provide an updated letter. We do recommend you stay in contact with your health care provider or with the reliable person who has knowledge of your disability & your companion animal alleviates symptoms of your disability.

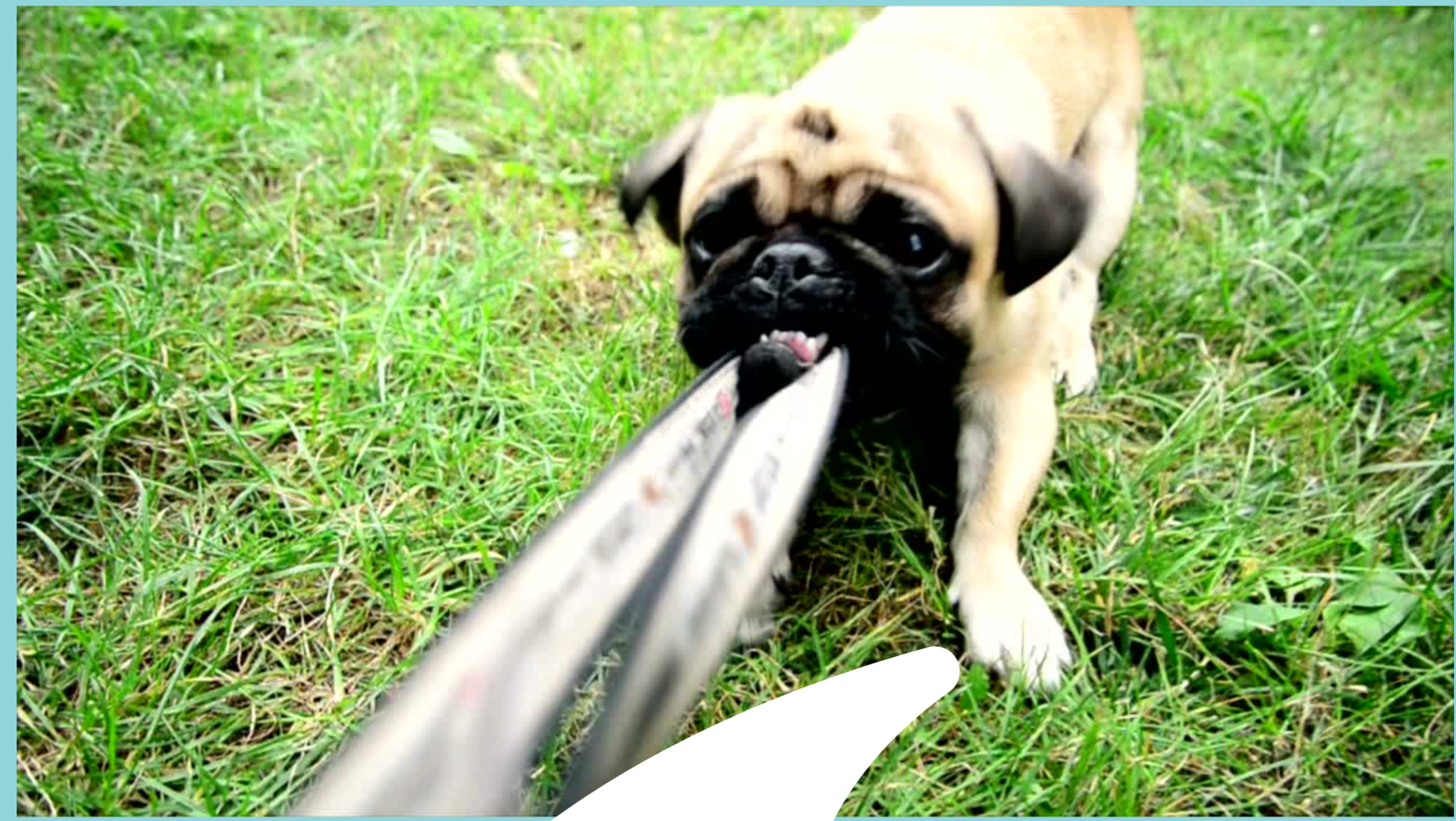


**Can you have
more than one ESA**



Yes. So long as it can be shown that each animal alleviates a symptom of the person's disability.

**The owner says
my dog's breed
isn't allowed?**



**Fair housing laws prohibit
discrimination based on
breed and/or size**

Insurance Companies

The burden is on the landlord and the insurance company.



If the landlord alleges that the RA request causes an undue financial burden, this must be substantiated with the insurance company and comparable coverage must be considered.

An investigation may be launched against the insurance company for potential disability discrimination.



What owners CANNOT do

- CANNOT charge a pet deposit
- CANNOT charge an extra “pet fee” or insurance
- NO Breed Restrictions
- A “No Pet Policy” is NOT legal with regard to emotional support animals



What tenants should do

- Get a letter from a reliable person that has knowledge of disability and recommends ESA
- Send a request for a “reasonable accommodation” in writing to their landlord
- If the request is ignored, seek legal assistance
 - File a complaint with the CA Dept. of Fair Employment & Housing (DFEH) or Housing & Urban Development (HUD)

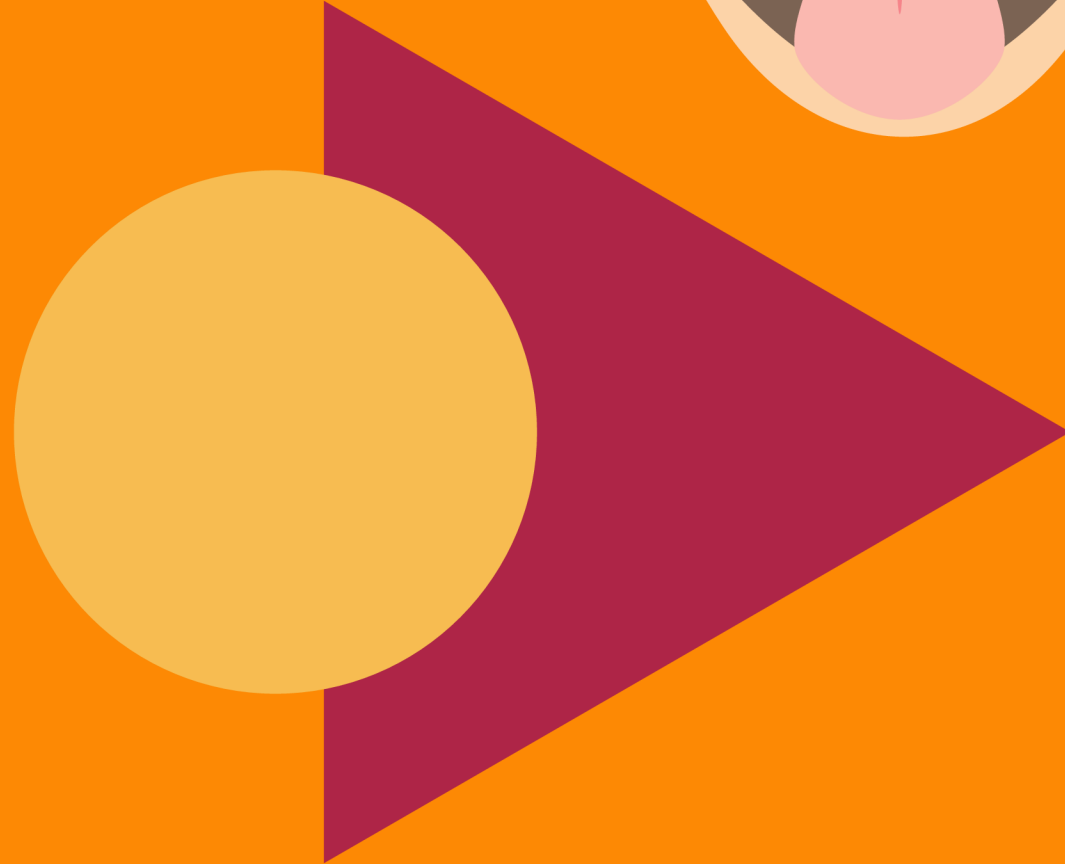




Remember, landlords cannot require an additional pet security deposit, insurance or charge pet rent for **assistance animals.**

Also security deposits in CA includes pet deposits!

**Common pet-related
tenancy issues:**



Nuisance

Excessive barking, howling, etc.

"No Pets" Policy

No pets on lease

Landlord Issues

New owner, harassment, etc

Liability

Dog bite, destruction of property, etc

IMPORTANT PET LAWS



Dogs over 4 months must be licensed.
(LAMC §53.28)/ (§10.20.030)

Dogs and cats must be spayed & Neutered
(LAMC §53.15.2)/ (§10.20.350)

Dogs must be kept on leash
(LAMC §53.06)/ (§10.32.010)

Pets should not be left unattended
(LAMC §53.70)/ (§10.40.010)

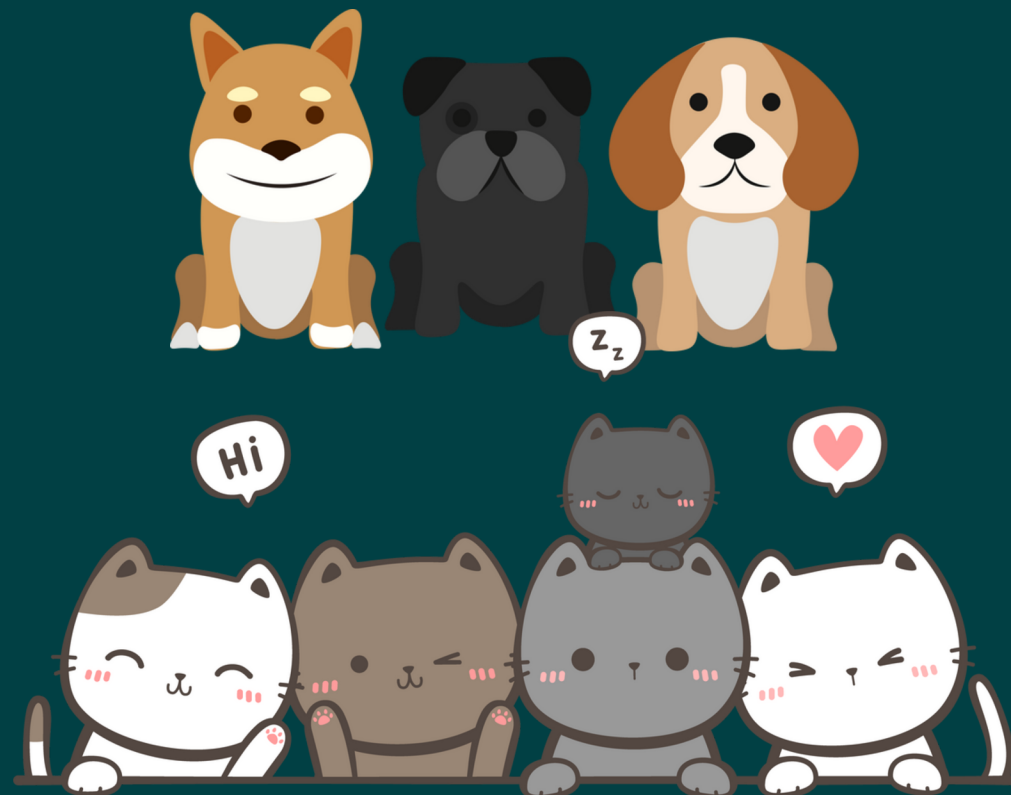
Pick up after your pet
(LAMC 53.49/ (§10.40.066))



IMPORTANT PET LAWS

LA CITY

- **3 Dogs Max**
- **5 Cats Max**
 - If more than 3 cats, the other 2 must be kept indoors

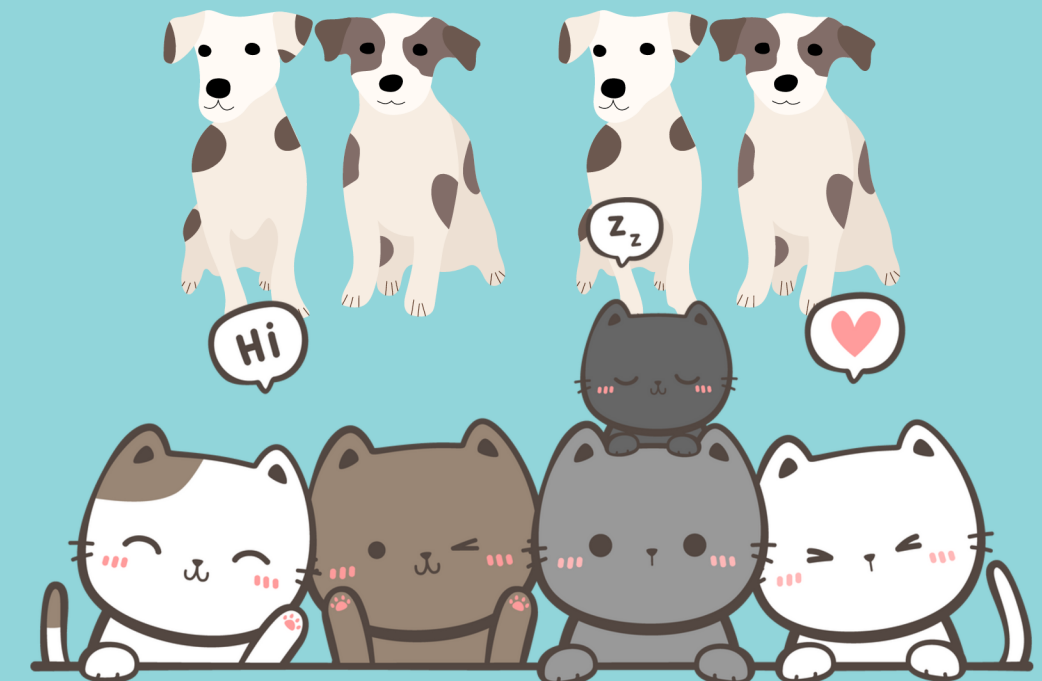


**City of Los Angeles Municipal Code (§53.06.1)*

&

LA COUNTY

- **4 Dogs Max**
 - not including a licensed service dog
- **5 Cats Max**
 - must be primarily indoors



**Los Angeles County Code (§10.20.038)*

Tips for Moving with Pets

- Pet Resume
- Spay/Neuter Certificate
- Vaccination records
- Licensing Documentation
- Support animal letter



Pet Resume!

Share the cutest photo of your pet!

Highlight any relevant **training**.

Attach proof of **spay/neuter**,
licensing, **vaccination** records,
references from **trainers**,
assistance animal letter from
provider (if applicable).

This is your pet's time to shine!



PET NAME

AKA LOVE MONSTER

-  Owner Name
-  856-082-2345
-  OWNER@EMAIL.COM
-  LOS ANGELES, CALIFORNIA

HOBBIES

- SLEEPING
- GETTING BELLY RUBS
- PLAYING AT THE DOG PARK
- MORE SLEEPING
- WATCHING SUNSETS WITH MOM

TRAINING

- **HOUSE TRAINED** SINCE 2018
- **CANINE GOOD CITIZEN TRAINING CERTIFIED** IN 2019

ABOUT MY OWNER

- I have had 3 pets
- I love all animals
- None of my pets have had a serious incident

REFERENCES

-  Jessica, Dog Walker
-  909-867-5309
-  JESSWALKSDOGS@GMAIL.COM
-  1234, PLEASANT LANE

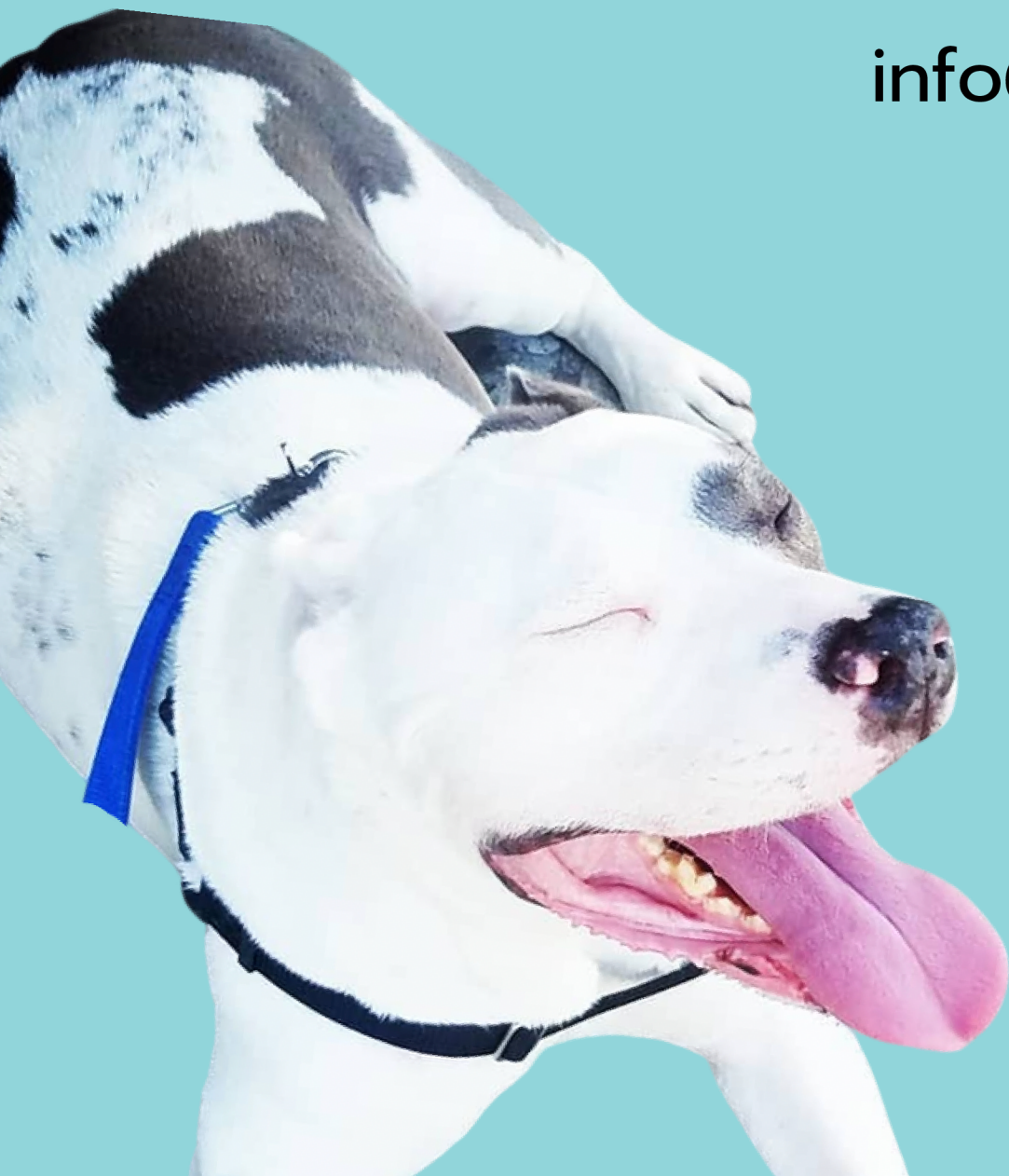
CONTACT INFO



info@heartla.org



(323) 643-4430



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Los Angeles, CA 90018
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