

Superior Court of California, County of Riverside  
Unlawful Detainer Default Judgment (Possession Only)

**\*\* Please Note: Judgments cannot be submitted online – In-person, Drop off or mail only. \*\***

**Your information:**

Name (as listed on the complaint): \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**You're requesting the following:**

Entry of Default    Clerk's Judgment    Possession Only

**Your Tenant's Name(s) (Do not include minor children):**

Name (as listed on the complaint): \_\_\_\_\_

Case Number (as it appears on Complaint): \_\_\_\_\_

Complaint Filed On: \_\_\_\_\_

**Rental Property Address:**

Street Address: \_\_\_\_\_

City, State, Zip Code and County: \_\_\_\_\_

**What Courthouse will you file at? (Choose location closest to where the rental property is located):**

ATTORNEY OR PARTY WITHOUT ATTORNEY:   TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b>	
Plaintiff/Petitioner: Defendant/Respondent:	
<b>REQUEST FOR</b> <input type="checkbox"/> <b>Entry of Default</b> <input type="checkbox"/> <b>Clerk's Judgment</b> <b>(Application)</b> <input type="checkbox"/> <b>Court Judgment</b>	CASE NUMBER:
<b>Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.); (see form CIV-105)</b>	

1. TO THE CLERK: On the complaint or cross-complaint filed
  - a. on (date):
  - b. by (name):
  - c.  Enter default of defendant (names):
  - d.  I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):  
  
*(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)*
  - e.  Enter clerk's judgment
    - (1)  for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)  
 Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The *Prejudgment Claim of Right to Possession* was served in compliance with Code of Civil Procedure section 415.46.
    - (2)  under Code of Civil Procedure section 585(a). *(Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)*
    - (3)  for default previously entered on (date):

2. **Judgment to be entered.**

	<u>Amount</u>	<u>Credits acknowledged</u>	<u>Balance</u>
a. Demand of complaint .....	\$	\$	\$
b. Statement of damages*			
(1) Special .....	\$	\$	\$
(2) General .....	\$	\$	\$
c. Interest .....	\$	\$	\$
d. Costs (see reverse) .....	\$	\$	\$
e. Attorney fees .....	\$	\$	\$
f. <b>TOTALS</b> .....	\$	\$	\$

g. **Daily damages** were demanded in complaint at the rate of: \$ \_\_\_\_\_ per day beginning (date): \_\_\_\_\_  
 (\* *Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.*)

3.  (Check if filed in an unlawful detainer case.) **Legal document assistant or unlawful detainer assistant** information is on the reverse (complete item 4).  
 Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME) ▶ (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

<b>FOR COURT USE ONLY</b>	(1) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):
Clerk, by _____, Deputy	

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant  did  did **not** for compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state:

- |  |                            |
|--|----------------------------|
| a. Assistant's name:                   | c. Telephone no.:          |
| b. Street address, city, and zip code: | d. County of registration: |
|  | e. Registration no.:       |
|  | f. Expires on (date):      |

5.  **Declaration under Code Civ. Proc., § 585.5** (for entry of default under Code Civ. Proc., § 585(a)). This action

- a.  is  is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
- b.  is  is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
- c.  is  is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- a.  **not mailed** to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (*names*):
- b.  **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:
  - (1) Mailed on (date):
  - (2) To (specify names and addresses shown on the envelopes):

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

- a. Clerk's filing fees ..... \$
- b. Process server's fees ..... \$
- c. Other (specify): ..... \$
- d. .... \$
- e. **TOTAL** ..... \$ \_\_\_\_\_

- f.  Costs and disbursements are waived.
- g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing item 7 is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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8. **Declaration of nonmilitary status** (required for a judgment).

No defendant/respondent named in item 1c is in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that no defendant/respondent named in item 1c is in the U.S. military service because (check all that apply):

- a.  the search results that I received from <https://scra.dmdc.osd.mil/> say the defendant/respondent is not in the U.S. military service.
- b.  I am in regular communication with the defendant/respondent and know that they are not in the U.S. military service.
- c.  I recently contacted the defendant/respondent, and they told me that they are not in the U.S. military service.
- d.  I know that the defendant/respondent was discharged from U.S. military service on or about (date):
- e.  the defendant/respondent is not eligible to serve in the U.S. military because they are:
  - incarcerated  a business entity
- f.  other (specify):

**Note**

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the defendant/respondent is in the military service, or their military status is unknown, the defendant/respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

I declare under penalty of perjury under the laws of the State of California that the foregoing item 8 is true and correct.

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY   TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR ( <i>name</i> ):	<b>FOR COURT USE ONLY</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b>		
PLAINTIFF: DEFENDANT:		
<b>VERIFICATION BY LANDLORD REGARDING          RENTAL ASSISTANCE—UNLAWFUL DETAINER</b>		CASE NUMBER:

*This form must be filed by the plaintiff with any request for default judgment in any unlawful detainer action seeking possession of residential property based on nonpayment of rent or any other financial obligation under a lease. It may also be used at other times as appropriate or when requested by a judicial officer.*

1. The landlord of the property at issue in this case is (*name*):
2. All of the following statements are true:
  - a. Landlord has not received rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
  - b. Landlord has not received rental assistance or other financial compensation from any other source for rent accruing after the date of the notice underlying the complaint in this action.
  - c. Landlord does not have any pending application for rental assistance or other financial compensation from any other source corresponding to the amount demanded in the notice underlying the complaint in this action.
  - d. Landlord does not have any pending application for rental assistance or other financial compensation from any other sources for rent accruing after the date of the notice underlying the complaint in this action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)



\_\_\_\_\_  
 (SIGNATURE)

\_\_\_\_\_  
 (TITLE—provide if signing on behalf of corporation or other business entity)

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE**

- BANNING** 311 E. Ramsey St., Banning, CA 92220
- BLYTHE** 265 N. Broadway, Blythe, CA 92225
- CORONA** 505 S. Buena Vista, Rm. 201, Corona, CA 92882

- MENIFEE** 27401 Menifee Center Dr., Menifee, CA 92584
- MORENO VALLEY** 13800 Heacock St., Ste. D201, Moreno Valley, CA 92553
- PALM SPRINGS** 3255 E. Tahquitz Canyon Way, Palm Springs, CA 92262

**RI-CI031**

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar Number and Address)</i>     TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> : _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	FOR COURT USE ONLY         CASE NUMBER: _____
PLAINTIFF/PETITIONER: _____  DEFENDANT/RESPONDENT: _____	
<b>APPLICATION FOR JUDGMENT BY DEFAULT BY CLERK FOR RESTITUTION OF PREMISES ONLY (PURSUANT TO C.C.P. 1169)</b>	

I am the Plaintiff/Attorney in the above-entitled action.

The defendant(s) listed below, named in the complaint as tenants, subtenants, or occupants, were served with the summons and complaint and have failed to answer or otherwise defend within the time allowed by law. Proofs of service of the summons and complaint have been filed with the clerk:

Tenants: \_\_\_\_\_

Subtenants: \_\_\_\_\_

Occupants: \_\_\_\_\_

Prejudgment claims of right to possession were served pursuant to CCP §415.46. Proofs of service in accordance with section 415.46 have been filed with the clerk. No unnamed occupants have filed a claim described in CCP §§ 415.46, 1174.25 within the time allowed by law.

Prejudgment claim of right to possession were served pursuant to CCP §415.46. The claimants listed below filed claims of right to possession, but have failed to answer or otherwise defend within the time allowed by law:  
 Claimants: \_\_\_\_\_

Defendants, claimants or occupants are still in possession of the premises.

Pursuant to CCP § 1169, I the undersigned request that the defaults of the above-described tenants, subtenants, claimants and other occupants be entered (unless previously entered) and that judgment be entered for restitution of the premises located at: \_\_\_\_\_, California, and that a writ of possession be issued for the premises.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_ \_\_\_\_\_  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY MAKING DECLARATION) (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY   TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b>	
PLAINTIFF: DEFENDANT:	
<div style="text-align: center;"><b>JUDGMENT—UNLAWFUL DETAINER</b></div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"><input type="checkbox"/> <b>By Clerk</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>By Default</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>After Court Trial</b></div> </div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"><input type="checkbox"/> <b>By Court</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>Possession Only</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>Defendant Did Not Appear at Trial</b></div> </div>	CASE NUMBER:

**JUDGMENT**

1.  **BY DEFAULT**

- a. Defendant was properly served with a copy of the summons and complaint.
- b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
- c. Defendant's default was entered by the clerk upon plaintiff's application.
- d.  **Clerk's Judgment** (Code Civ. Proc., § 1169). For possession only of the premises described on page 2 (item 4).
- e.  **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
  - (1)  plaintiff's testimony and other evidence.
  - (2)  plaintiff's or others' written declaration and evidence (Code Civ. Proc., § 585(d)).

2.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.

a. The case was tried on (date and time):  
before (name of judicial officer):

b. Appearances by

plaintiff (name each):

plaintiff's attorney (name each):

(1)

(2)

Continued on Attachment 2b (form MC-025).

defendant (name each):

defendant's attorney (name each):

(1)

(2)

Continued on Attachment 2b (form MC-025).

c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.

d.  A statement of decision (Code Civ. Proc., § 632)  was not  was requested.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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**JUDGMENT IS ENTERED AS FOLLOWS BY:**     **THE COURT**     **THE CLERK**

**3. Parties.** Judgment is

a.  for plaintiff (*name each*):

and against defendant (*name each*):

Continued on *Attachment 3a* (form MC-025).

b.  for defendant (*name each*):

**4.** The party entitled to possession of the premises located at (*street address, apartment, city, and county*):

is

plaintiff named in item 3a     defendant named in item 3b     defendant listed on attached form UD-110P in item 8b1 (Code Civ. Proc. § 1174.27).

**5.**  Judgment applies to all occupants of the premises including tenants, subtenants if any, and named claimants if any (Code Civ. Proc., §§ 715.010, 1169, and 1174.3).

**6. Amount and terms of judgment**

a.  Defendant named in item 3a above must pay plaintiff on the complaint

b.  Plaintiff is to receive nothing from defendant named in item 3b.

(1) <input type="checkbox"/> Past-due rent	\$
(2) <input type="checkbox"/> Holdover damages	\$
(3) <input type="checkbox"/> Attorney fees	\$
(4) <input type="checkbox"/> Costs	\$
(5) <input type="checkbox"/> Other ( <i>specify</i> ):	\$
<b>(6) TOTAL JUDGMENT</b>	<b>\$</b>

Defendant named in item 3b is to recover costs: \$  
 and attorney fees: \$

c.  The rental agreement is canceled.     The lease is forfeited.

**7.**  **Conditional judgment.** Plaintiff has breached the agreement to provide habitable premises to defendant as stated in *Judgment—Unlawful Detainer Habitable Premises Attachment* (form UD-110H), which is attached.

**8.**  **Judgment for partial eviction.** A partial eviction is issued as stated in *Judgment—Unlawful Detainer Partial Eviction Attachment* (form UD-110P), which is attached.

**9.**  Other (*specify*):

Continued on *Attachment 9* (form MC-025).

Date: \_\_\_\_\_  \_\_\_\_\_  
JUDICIAL OFFICER

Date: \_\_\_\_\_  Clerk, by \_\_\_\_\_, Deputy

(SEAL)

**CLERK'S CERTIFICATE (Optional)**  
 I certify that this is a true copy of the original judgment on file in the court.

Date: \_\_\_\_\_  
Clerk, by \_\_\_\_\_, Deputy



ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY, STATE, ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR ( <i>name</i> ): <input type="checkbox"/> ATTORNEY FOR <input type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b>	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
<input type="checkbox"/> <b>EXECUTION (Money Judgment)</b> <b>WRIT OF</b> <input type="checkbox"/> <b>POSSESSION OF</b> <input type="checkbox"/> <b>Personal Property</b> <input type="checkbox"/> <b>SALE</b> <input type="checkbox"/> <b>Real Property</b>	<input type="checkbox"/> <b>Limited Civil Case</b> (including Small Claims) <input type="checkbox"/> <b>Unlimited Civil Case</b> (including Family and Probate)

**1. To the Sheriff or Marshal of the County of: Riverside**

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

**2. To any registered process server:** You are authorized to serve this writ only in accordance with Code of Civil Procedure section 699.080 or 715.040.

**3. (Name):**

is the  original judgment creditor     assignee of record    whose address is shown on this form above the court's name.

**4. Judgment debtor (name, type of legal entity if not a natural person, and last known address):**

The judgment debtor has additional names that are identified on an affidavit of identity (Code Civ. Proc., § 680.135).

Check here if there is more than one judgment debtor. List the additional judgment debtors and their last known addresses on an attached sheet of paper labeled "Attachment 4."

**5. Judgment was entered on (date):** \_\_\_\_\_ (The type of judgment is stated in item 21.)

**6.**  The judgment has been renewed. (Complete items 6a and 6b.)

a. The judgment was renewed on (dates):

b. The most recent renewal extended the period of enforceability of the judgment for (check one):

(1)  5 years.

(2)  10 years.

**7.**  A joint debtor was declared bound by the judgment under Code of Civil Procedure sections 989 to 994. (If item 7 is checked, give information about the joint debtor in item 22.)

**NOTICE TO PERSON SERVED: SEE PAGE 4 FOR IMPORTANT INFORMATION.**



Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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8. **Notice of sale** under this writ:

- a.  has not been requested.
- b.  has been requested by *(name and address)*:


9.  This writ is a Writ of Possession or a Writ of Sale. *(If item 9 is checked, give information about the writ of possession or writ of sale in item 23.)*

10.  This writ is issued on a sister-state judgment.

**Note for items 11–17:** For more information on the amount recoverable by a judgment creditor, claiming costs after judgment, and calculating accrued interest, read *Information Sheet for Calculating Interest and Amount Owed on a Judgment* (form MC-013-INFO).

- 11. Total amount of the judgment \$  
*(If the judgment has been renewed, state the amount of the most recent renewal. Otherwise, state the amount at the time the judgment was entered.)*
- 12. Costs after judgment *(Code Civ. Proc., §§ 685.040–685.090)* \$
- 13. Subtotal *(add items 11 and 12)* \$ \_\_\_\_\_
- 14. Credits to principal *(payments apply to interest first, per Code of Civil Procedure section 695.220)* \$
- 15. Principal remaining due *(subtract item 14 from item 13)* \$ \_\_\_\_\_
- 16. Accrued interest remaining due after applying any payments \$  
*(Read form MC-013-INFO for information on calculating accrued interest. Interest cannot be charged on fees included in the judgment under Government Code section 6103.5.)*
- 17. Fee for issuance of writ *(Gov. Code, § 70626(a)(l))* \$
- 18. **Total amount due** *(add items 15, 16, and 17)* \$ \_\_\_\_\_

19. **Levying officer:**

- a. Add daily interest from the date of the writ in the following amount  
*(Read form MC-013-INFO for information on the legal daily rates of interest. Interest cannot be charged on fees included in the judgment under Government Code section 6103.5.)* \$
- b. Pay the following amount directly to court costs included in items 11 and 17  
*(Gov. Code, §§ 6103.5, 68637; Code Civ. Proc., § 699.520(j).)* \$

20.  The amounts called for in items 11–19 are different for each debtor. *(If item 20 is checked, attach a page labeled "Attachment 20" and write the amounts for each debtor. Label each amount with the applicable item number.)*

[SEAL]

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy



Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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21. The judgment is for (*check one*):

- a.  wages owed.
- b.  child support or spousal support.
- c.  personal debt, as defined in Code of Civil Procedure section 683.110(d). (*If this box is checked, the judgment creditor must complete Declaration of Address Verification (form WG-015/EJ-135) before asking the sheriff to enforce this writ.*)
- d.  other (*describe*):

22.  A joint debtor was declared bound by the judgment under Code of Civil Procedure sections 989 through 994.

a. The joint debtor is (*specify the name, type of legal entity if not a natural person, and last known address of joint debtor*):

b. The joint debtor was declared bound by the judgment on (*date*):

Check here if you need more space to identify joint debtors or itemize costs against joint debtors. List the additional joint debtors or itemized costs on an attached sheet of paper labeled "Attachment 22."

23.  This writ is a Writ of Possession or Writ of Sale. Judgment was entered for the following:

a.  Possession of real property: The complaint was filed on (*date*):

(1) The *Prejudgment Claim of Right to Possession* (form CP10.5) (*check one*):

- (a)  was served in compliance with Code of Civil Procedure section 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
- (b)  was NOT served in compliance with Code of Civil Procedure section 415.46.

(2)  The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a *Claim of Right to Possession* at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a *Prejudgment Claim of Right to Possession* was served.) (*See Code Civ. Proc., §§ 415.46 & 1174.3(a)(2).*)

(3) (*You must complete this item if you checked 23a(1)(b) or 23a(2)*):

- (a) The daily rental value on the date the complaint was filed was \$
- (b) The court will hear objections to enforcement of the judgment under Code of Civil Procedure section 1174.3 on the following dates (*specify*):

b.  Possession of personal property.

If delivery cannot be had, then for the value (*itemize in item 23e*) specified in the judgment or supplemental order.

c.  Sale of personal property.

d.  Sale of real property.

e. The property is described  below  on Attachment 23e.



Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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**NOTICE TO PERSON SERVED**

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with Code of Civil Procedure section 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month to month, you may remain in the property for 90 days after receiving a notice to quit. A blank *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED *PREJUDGMENT CLAIM OF RIGHT TO POSSESSION*. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

JUDGMENTS FOR PERSONAL DEBT. If you are the judgment debtor identified in item 4 on this form, and if item 21 on this form says the judgment is for personal debt, the judgment creditor is required to verify your address before asking the levying officer to enforce this *Writ of Execution*. The judgment creditor must give the levying officer a completed copy of *Declaration of Address Verification* (form WG-015/EJ-135) and must file completed form WG-015/EJ-135 with the court within 10 business days of giving a copy of the form to the levying officer. If the judgment creditor doesn't take these steps, you can ask the court to stay any wage garnishment order, bank account levy, or other levy related to this *Writ of Execution*. You can use *Application for Stay of Levy or Garnishment* (form WG-017/EJ-137) to ask the court to stay the levy or garnishment until the address verification has been completed.

SHORT TITLE:  	CASE NUMBER:  
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**ATTACHMENT** (Number): 4

*(This Attachment may be used with any Judicial Council form.)*

**Additional judgment debtors and their last known addresses:**

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page \_\_\_\_\_ of \_\_\_\_\_

*(Add pages as required)*

## Instructions for Filing a Default Judgment and Writ of Possession

1. Complete the Default Judgment Packet
2. Make a copy of the entire packet. Make extra copies of the Request to Enter Default (CIV-100) for every defendant listed on your case including “Unknown Occupants”
3. Mail a copy of the Request to Enter Default (CIV-100) to each defendant.
4. Complete page 2 of the original Request to Enter Default, paragraph 6.

<p>b. <input checked="" type="checkbox"/> mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:</p> <p>(1) Mailed on (date): <b>Date mailed</b></p> <p>(2) To (specify names and addresses shown on the envelopes): <b>Name and Address of defendant</b></p> <p>declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.</p> <p>Date: _____</p> <p>_____ (TYPE OR PRINT NAME)</p> <p style="text-align: right;">▶ _____ (SIGNATURE OF DECLARANT)</p>
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5. Take the original default packet (plus 1 copy) to the clerk's office to file. The filing fee is \$40.00.
6. Once the court has processed your paperwork, you will take your Writ of Execution (EJ-130) plus 5 copies to the Sheriff's Department to schedule a lockout.