



Judicial Council of California

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Subject Details (With Text)

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File #: 21-163 **Version:** 1
Type: Rule/Form Proposal **Status:** Passed
File created: 8/2/2021 **In control:** Judicial Council
On agenda: 10/1/2021 **Final action:** 10/1/2021
Title: Rules and Forms | Unlawful Detainer, Small Claims, and Pleading Forms to Implement New Laws (Action Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20211001-21-163

Date	Ver.	Action By	Action	Result
10/1/2021	1	Judicial Council	approved	Pass

Title

Rules and Forms | Unlawful Detainer, Small Claims, and Pleading Forms to Implement New Laws (Action Required)

Summary

The Civil and Small Claims Advisory Committee proposes the adoption, approval, and revision of 13 forms to implement statutory changes in Senate Bill 91 (Stats. 2021, ch. 2), enacted January 29, 2021, and Assembly Bill 832 (Stats. 2021, ch. 27), enacted June 28, 2021. Assembly Bill 832 establishes new procedures for bringing unlawful detainer actions based on nonpayment of rent, and for judgments in such cases, effective October 1, 2021. Provisions in SB 91, as amended by AB 832, allow parties, effective November 1, 2021, to litigate claims for nonpayment of COVID-19 rental debt in small claims court regardless of the amount demanded, and mandates new pleading requirements for such actions whether filed in small claims court or in general civil court. In addition, AB 832 requires the council to develop forms for parties to use in actions to recover COVID-19 rental debt. The proposed forms address these statutory changes.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council:

1. Adopt *Application to Prevent Forfeiture Due to COVID-19 Rental Debt* (form UD-125), effective October 1, 2021;
2. Adopt the following forms, effective November 1, 2021:
 - *Complaint-Recovery of COVID-19 Rental Debt* (form PLD-C-500);
 - *Answer-Recovery of COVID-19 Rental Debt* (form PLD-C-505);
 - *Verification by Plaintiff Regarding Rental Assistance-Recovery of COVID-19 Rental Debt* (form PLD-C-520);
 - *Plaintiff's Claim and ORDER to Go to Small Claims Court (COVID-19 Rental Debt)* (form SC-500); and
 - *Other Plaintiffs or Defendants (COVID-19 Rental Debt)* (form SC-500A);
3. Approve *COVID-19 Rental Debt in Small Claims Court* (form SC-500-INFO), effective October 15, 2021;
4. Revise the following forms, effective October 1, 2021:
 - *Plaintiff's Mandatory Cover Sheet and Supplemental Allegations-Unlawful Detainer* (form UD-

101);

- *Answer-Unlawful Detainer* (form UD-105); and
 - *Verification by Landlord Regarding Rental Assistance-Unlawful Detainer* (form UD-120); and
5. Revise the following forms, effective November 1, 2021:
- *Plaintiff's Claim and ORDER to Go to Small Claims Court* (form SC-100);
 - *Fictitious Business Name* (form SC-103); and
 - *What is "Proof of Service"?* (form-104B).