

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO

400 McAllister Street, San Francisco, CA 94102

Phone: 415-551-5949 | Website: <https://sf.courts.ca.gov/>



GUIDELINES FOR OBTAINING DEFAULT ON UNLAWFUL DETAINER ACTIONS

The following papers must be on file or filled out completely and submitted:

1. Complaint
2. Original Summons
3. A separate Proof of Service for each of the named defendants served
4. A Request to Enter Default form (CIV-100)- which should have been mailed to each defaulted defendant prior to filing with the court

Verification Process for DEFAULT ONLY:

1. What type of Request? ☐Entry of Default ☐Clerk's Judgment ☐Court Judgment
2. Is the date of the complaint, correct? Y/N
3. Are the names of the party requesting default and the party being defaulted correct and matches the complaint exactly? Y/N
4. Item #3 is marked? Y/N
5. Page 1 is dated, printed name and signed? Y/N
6. Item #4 is completed? Y/N
7. Item #5 is completed? Y/N
8. Item #6 is completed: mailed date, names and addresses as shown on envelopes? Y/N
9. Is the Summons issued current? Y/N
10. On the Complaint, Are subject premises residential? Y/N
 - a. If Yes, does it allege whether it is Subject to the Tenant Protection Act? Y/N
 - b. If Yes, subject to San Francisco Rent Ordinance? Y/N
 - i. If yes, notice/advice attached? Y/N
11. Is there any filing prohibiting entry of Default? Y/N
12. Is there a Proof for each defendant to be defaulted? Y/N
 - a. 1 type of service reflected – each type of service allows for a different amount of

GUIDELINES FOR OBTAINING DEFAULT AND DEFAULT JUDGMENT ON UNLAWFUL DETAINER ACTIONS

time to respond. Type:_____ # of days to respond_____

- b. Are the appropriate attachments included based on type of service? Y/N
- c. Is the request premature? Y/N

Unlawful Detainer Clerk Judgment – Possession Only

In addition to the above requirements -

- 1. On the CIV-100 form, Is the Request type for Clerk's Judgment marked? Y/N
- 2. Is section 1e (1)-(3) appropriately completed? Y/N
- 3. Is Item 8, Declaration of Non-Military Status completed? Y/N
 - a. Is the most recent Judicial Council Form used? Y/N
- 4. If the Subject premises is residential and is for non-payment of rent, is the Verification by Landlord, UD-120, submitted? Y/N
- 5. Is the Judgment form, UD-110, submitted? Y/N
 - a. Are the appropriate boxes marked re: Clerk's Judgment? Y/N
 - b. Names of Plaintiff and Defendants on line 3a match the complaint exactly? Y/N
 - c. Address of premises on line 4 match the complaint exactly? Y/N
 - a. Appropriate box marked indicating party entitled to possession? Y/N
 - d. If box 5 is marked, respective box under 1e(1) is marked on the CIV-100 form AND there is a Proof of Service of Pre-Judgment Claim of Right to Possession? Y/N
- 6. Item 6c – The rental agreement; only one option can be marked, if any
 - a. cancelled - is marked, is the original agreement provided? Y/N
 - b. forfeit – is marked, is a declaration of lost or unavailable lease provided? Y/N

Unlawful Detainer Court Judgment – Money Damages

Money Judgment can only be processed if possession is no longer at issue.

- 1. Default must be on file.
- 2. CIV-100 form indicates Request as Court Judgment? Y/N
- 3. On the CIV-100 form, Is the date of the complaint, correct? Y/N
- 4. The names of the party requesting judgment and party against matches complaint? Y/N
- 5. Item 1e(3) indicates date of default previously entered? Y/N
- 6. Section 2 is completed and numbers match the demand in complaint, costs in section 7, and calculations outlines in the Declaration pursuant to 585? Y/N

7. Item #3 is marked? Y/N
8. Page 1 is dated, printed name and signed? Y/N
9. Item #4 is completed? Y/N
10. Item #5 is completed? Y/N
11. Item #6 is completed: mailed date, names and addresses as shown on envelopes? Y/N
12. Item # 7 is completed and accurate as to court records re: fees Y/N
13. Item #8 is completed – Declaration of Non-military status, on current revised form? Y/N
14. Declaration pursuant to 585 is submitted and properly completed? Y/N
 - a. Plaintiff is owner of premises; premises are exactly described; date of written/oral Lease provided; agreed rent; Defendant served with notice; defendant failed to comply with notice; date defendant vacated; plaintiff signed declaration; or by whom? Y/N
 - b. Is there a disposition re: security deposit? Y/N
 - c. Are all attachments stated to be attached, included? Y/N
 - d. Are the calculations of holdover damages accurate? Y/N
 - e. If rental amounts changed, are there notices and service of such notice? Y/N
 - f. Rent claimed goes no further back than one year? Y/N
15. Is there an agreement re: attorneys fees? Y/N
 - a. Are attorneys fees submitted in accordance with attorney fee schedule? Y/N
 - b. If not, is there a supporting declaration? Y/N
16. Judgment form, UD-110, form completed properly completed? Y/N
 - a. Item 4 indicates “Possession no longer at issue”? Y/N
 - b. Names and calculations are correct? Y/N
17. All co-defendants have been defaulted/dismissed (including named DOES?) Y/N

***** If all paperwork is not submitted, and, or if there are discrepancies, the Request for Default and Default Judgment will be rejected.***

Method of Service	Time Frame (in calendar days)	CCP Reference
Personal Service	Days based on summons	CCP 415.10
Substitute Service – from date of mailing	+ 10 days	CCP 415.20

Certified or Registered Mail outside of California – from date of mailing	+ 10 days	CCP 415.40
Service by Publication	+ 28 days	CCP 415.50 / GC 6064
Amended Complaint/Cross Complaint by mail w/in CA (if party has appeared)	+ 5 days	CCP 1013
Amendment to complaint/cross complaint	Based on original service of complaint/cross complaint	
Notice of acknowledgment – from the date the defendant signs acknowledgment	Days based on summons	CCP 415.30(c) / CCP 416.10
Service of Process on the Secretary of State	40 days	CCP 416.10 Corp C 1702
Overnight mail	+ 2 court days	
E Service	+ 2 court days	
Notice of Entry of Order by mail personal service	+10 days + 5 days	CCP1013 (a) per order or, if order is silent, 5 days for UD or 10 days for civil cases
If last day to respond occurs on a day when the court is closed (i.e. court holiday or weekend), the defendant cannot be defaulted until the end of the following court business day.		