Tenant Receives 3 Day Notice to Pay Rent, Cure Violation of Rental Agreement, or Quit (Move Out)

Tenant is able to pay

If landlord refuses to accept payment, which is not legal, you can:

Try to negotiate

or

Seek legal help

or

Wait for the eviction to be filed

Pay rent owed
Fix/cure issue
Quit Lease & Move

Tenant is no longer in danger of eviction

Tenant is not able to pay

Step 1...

Call 211

Seek a Mediator & Rental Assistance to avoid legal case

Property Manager files an Unlawful Detainer (eviction)

Tenant is served with an eviction summons

Within 5 business days from eviction summons, tenant must respond with a court form called *an Answer*

Tenant Options

1. Seek Legal Assistance

Use a private unlawful detainer lawyer to review eviction case, from Lawyer Referral & Info Services hotline

*If you income qualify**

Use Public Law Center or Community Legal Aid to review eviction paperwork, if you have a lower income level

Lawyer takes case and advises on next steps

Lawyer does not take case

Motion to Quash Service of Summons

Demurrer or Motion to Strike

Settlement Agreement

Hearing

Option to request

Jury Trial

2. Seek a Trained Mediator

With a 3rd party, discuss a payment plan, later move out date, or try to resolve out of court

Property owner & tenant come to an agreement

No agreement is reached

Hearing

Option to request

Jury Trial

Tenant is able to keep their housing

or

Tenant must move out & pay terms

3. Navigate the system alone

Go to OC Court's Self-Help Center for questions and to file an Answer

Apply for filing fee waiver if on govt assistance

4. Ignore

No filing of an Answer or other legal action will result in a Default Judgment

After 5 business days

Tenant loses case immediately

Seek legal help to file a Motion to Vacate Default Judgment

OC Sheriff Posts Notice to Vacate

OC Sheriff Comes to Lock Tenant Out

Tenant is formally evicted

stay housed oc