

California Tenants – Use this letter if you are a tenant who received a 3-day notice that is invalid because the landlord’s ledger (record of rent payments made by a tenant) lists an incorrect amount of rent due.

Instructions:

1. [Click here to open a Microsoft Word version of this sample letter](#)
2. The Microsoft Word version will have the same blank spaces as this version but will not have the comments in the margin. Fill out the blanks in the Microsoft Word-version using the comments on the margins of this version as a guide.
3. Use this sample letter if you are a tenant who received a 3-day notice that is invalid because the landlord’s ledger (record of rent payments made by a tenant) lists an incorrect amount of rent due.
4. Please note that you should **tailor this letter to the facts in your case**. This template is **not a substitute for legal advice**. If you need help finding a tenant attorney, please see the [Tenants Together Directory](#).
5. Once you have filled out the letter with your information and sent the letter to your landlord, keep a copy for your records.

Sent via Certified Mail- Return Receipt Requested

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Commented [SD1]: Date

()
()

Commented [SD2]: Full name of landlord and/or property manager

Commented [SD3]: Address of landlord and/or property manager

Dear (),

Commented [SD4]: Full name of landlord and/or property manager

I, (), am a tenant at (). On (), I received a three-day notice to pay rent regarding an unpaid balance in the amount of (). I was informed that the three-day notice is based on a ledger I received on () regarding a balance of (). I am writing to inform you that this amount is incorrect. The charges on the ledger are invalid because ().

Commented [SD5]: Your/tenant's name(s)

Commented [SD6]: Address, City, State, Zip

Commented [SD7]: Insert date when you received the written notice

Commented [TD8]: Amount listed on 3-day notice

Commented [TD9]: Date ledger was received

Commented [TD10]: Amount of money listed on ledger

Because the ledger is incorrect, the three-day notice is null and void. A three-day notice must state *no more than* the amount of rent due. [CCP § 1161(2); *Lydon v. Beach* (1928) 89 Cal.App. 69, 74.] A three-day notice that overstates the amount of rent due is invalid and will not support an eviction case. [*Levitz Furniture Co. v. Wingtip Communications, Inc.* (2001) 86 Cal.App.4th 1035, 1038, 1040.]

Commented [SD11]: Reason why their ledger is incorrect. For example: I already paid X amount on X date. You may also want to attach any documentation showing that the rent was already paid – such as a rent receipt, bank statement, or text message confirming receipt.

Please provide an updated ledger as soon as possible and confirm in writing immediately that you are withdrawing the three-day notice.

Sincerely,

(
)
(
)

Commented [SD12]: Your signature

Commented [SD13]: Your full name