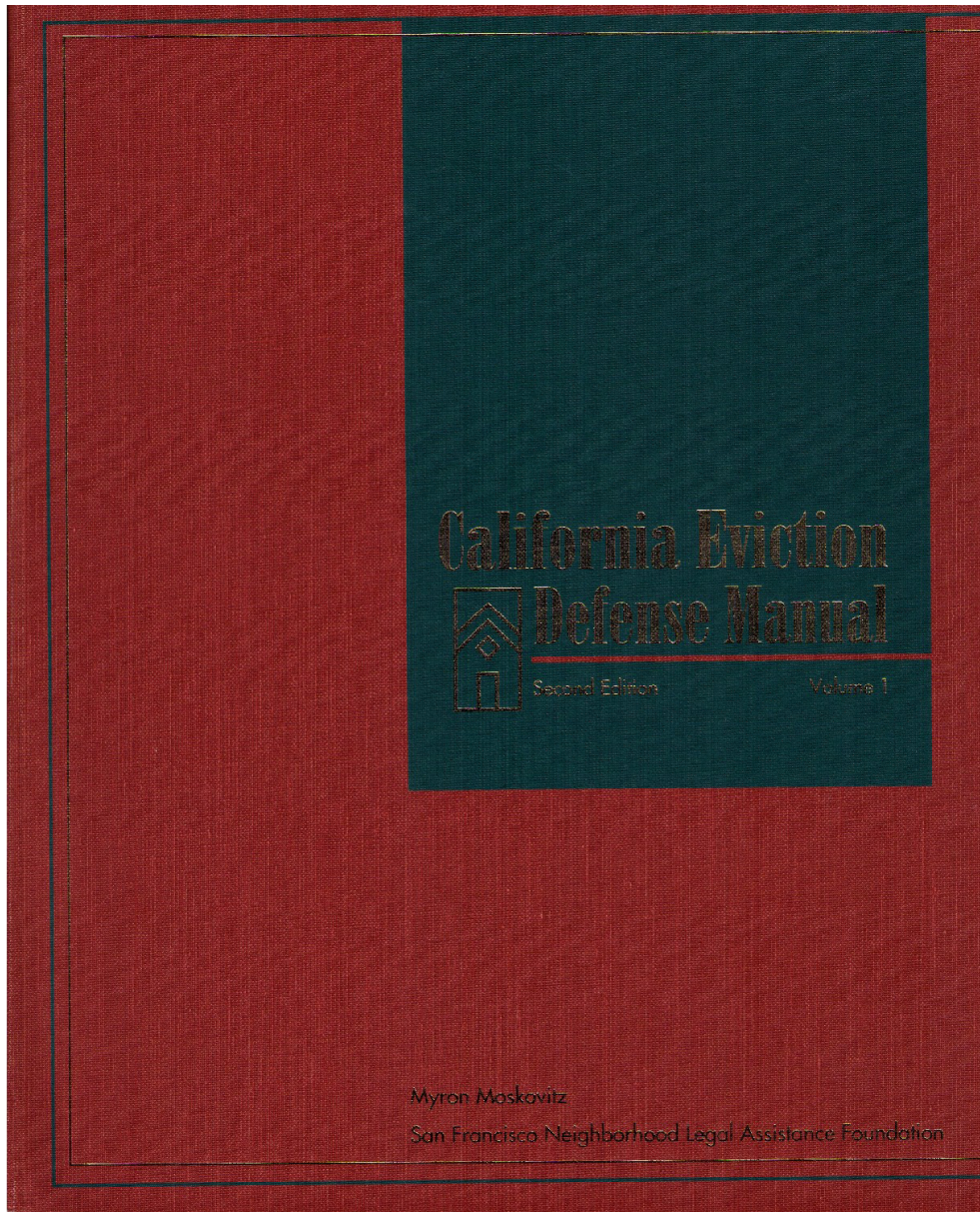




Product Description

The most comprehensive, efficient eviction defense resource ever published. Covers both substantive and procedural law.

- Termination notices
- Evictions after foreclosure; state & federal law
- Grounds for eviction and defenses
- Negotiating strategies; pretrial defense motions
- Warranty of habitability
- Rent-controlled jurisdictions
- Commercial tenancies and government-assisted housing
- Trial judgments and writs and appeals
- Forms, checklists, sample fee agreements

California Eviction Defense Manual

About the Authors

This edition was originally written by Myron Moskowitz and attorneys from the San Francisco Neighborhood Legal Assistance Foundation. Professor Moskowitz has continuously worked on annual updates. Catherine M. Bishop of the National Housing Law Project originally wrote and contributes periodic updates to chapter 18. In 1999, Clifford R. Horner rewrote and updated chapter 19, on commercial evictions, incorporating portions of the original chapter written by Myron Moskowitz. In 2000, Ira Jacobowitz submitted a completely new set of state-of-the-art defense forms to replace the original appendixes. In 2000 and 2001, Deborah A. Collins and other attorneys from the offices of Legal Services of Northern California made substantial revisions to and updated chapter 18. In 2001 and 2003, substantial revisions to chapter 17, on defending Ellis Act evictions, were written by Denise McGranahan, Sonya Bekoff Molho, Sallyann Molloy, and Andrew Zanger, all of whom practice as tenant attorneys in Los Angeles County. In 2003, Steven A. MacDonald made substantial revisions to chapters 9 and 17. In 2005, Nancy A. Palandati and David Pallack contributed substantial revisions to chapter 18. In 2006 and 2007, Nancy A. Palandati again updated chapter 18, Bonnie C. Maly contributed updating to chapter 21, and Myron Moskowitz and Sonya Bekoff Molho updated the remainder of the chapters.

MYRON MOSKOVITZ received his law degree from Boalt Hall. He has served as law clerk to Justice Raymond E. Peters of the California Supreme Court, Director of Marysville Office of California Rural Legal Assistance, Chief Attorney of the National Housing Law Project, and Chairman of the State Commission of Housing & Community Development. He is now Professor of Law at Golden Gate University. He specializes in appellate practice and landlord-tenant law, areas in which he has written several books and articles.

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IRA JACOBOWITZ read at the Bar and was admitted to practice in California in 1980. He represented tenants in Oakland for over 20 years and served as a staff attorney for Collective Legal Services at The Eviction Defense Center, a nonprofit law corporation in Oakland. He made an enormous contribution to the 2000 update by replacing and modernizing all forms in the appendixes.

CLIFFORD R. HORNER, who rewrote chapter 19 in 1999 and provided update material for that chapter in 2000–2002, received his J.D. from Hastings College of the Law in 1991. He is a former partner with Morgan, Miller & Blair, Walnut Creek, where he specialized in commercial landlord-tenant and general real estate law. Currently he is a partner with the firm of Berding & Weil, LLP, Walnut Creek. He is a member and a former officer of the Real Estate Section of the Contra Costa County Bar Association and currently serves on the Advisory Committee of CEB's Real Property Practice Group.

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NANCY A. PALANDATI received her J.D. in 1993 from New College of California School of Law. Ms. Palandati was admitted to the bar in 1994 and has represented tenants in many types of evictions, including mobilehome/long-term RV tenancies, subsidized tenancies, and using affirmative defenses of habitability and failure to provide reasonable accommodation. She is the regional migrant attorney at California Rural Legal Assistance in Santa Rosa.

DAVID PALLACK received his J.D. in 1979 from the University of California School of Law, Los Angeles. Mr. Pallack was admitted to the California bar in 1979, has practiced for more than 20 years in the area of housing law, including subsidized housing, and is the Director of Litigation at Neighborhood Legal Services of Los Angeles County in Pacoima.

DARA L. SCHUR, author of the 1996 update to chapter 18, received her J.D. from Boalt Hall in 1979. She is an attorney with Western Center on Law and Poverty, a legal services support center, where she litigates and provides assistance to legal services advocates in the areas of landlord-tenant, fair housing, subsidized housing, and land use. A former member of the Executive Committee of the State Bar Legal Services Section, she has worked in private practice and for several legal services programs. She has also taught housing law at Boalt Hall and conducted numerous housing and litigation skills trainings.

San Francisco Neighborhood Legal Assistance Foundation (SFNLAF) is the legal services field program for the City and County of San Francisco. Established in 1966, SFNLAF's priorities are affordable housing, access to public benefits and health care, and curbing domestic violence. Among SFNLAF's significant cases in the housing area was *Green v Superior Court* (1974) 10 C3d 616, 111 CR 704, which established the implied warranty of habitability in California. The following SFNLAF staff coauthored the 1993 edition:

LUZ BUITRAGO received her J.D. from Loyola University (Los Angeles) in 1984. She was a Housing Unit staff attorney with the San Francisco Neighborhood Legal Assistance Foundation, where she represented individual tenants in eviction actions and worked with tenant groups and other organizations on housing issues and housing litigation. Before joining SFNLAF, she was a housing attorney with Contra Costa Legal Services Foundation.

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J. WALLACE OMAN received his J.D. from the University of California, Hastings College of the Law in 1975. He worked for the National Paralegal Institute for two years and became a staff attorney for the Mission Law Office of the San Francisco Neighborhood Legal Assistance Foundation in 1977 and then a staff attorney in SFNLAF's Housing Unit. He taught Tenant-Landlord Relations for the San Francisco State University Paralegal Certificate Program. He has also served as a consultant to advisory committees on tenant-landlord matters for the San Francisco Municipal Court. Mr. Oman is now in private practice in San Francisco.

CATHERINE DOWNS OROZCO received her J.D. from the University of California, Hastings College of the Law in 1985. She served as a judicial extern for Justice Cruz Reynoso of the California Supreme Court. She served as a staff attorney with the Housing Unit of the San Francisco Neighborhood Legal Assistance Foundation, where she litigated housing law cases for low-income clients. In addition to specializing in landlord-tenant law, she has focused on a range of consumer protection issues.

Legal Services of Northern California (LSNC) is a nonprofit legal services program serving the lower income community of 23 northern California counties. It has eight offices and 30 attorneys, and represents clients in the areas of housing, land use and planning, health, welfare, public benefits, and economic and community development. LSNC's website (<http://www.lsn.net>) contains a broad range of poverty law information, including housing, health, and welfare issues. The following five LSNC attorneys specializing in housing and community and economic development contributed to a major rewrite of Chapter 18 of the Eviction Defense Manual for the May 2000 and May 2001 updates:

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