Serving eviction notices in California

A one-page guide for landlords and property managers. General information, not legal advice.

THE NOTICES

Notice	Time	Used for
3-day notice to pay rent or quit	3 court days	Unpaid rent. State the exact rent owed and how, where and to whom to pay. Rent only, no late fees. CCP § 1161(2)
3-day notice to perform covenant or quit	3 court days	A lease violation the tenant can fix. CCP § 1161(3)
30 or 60-day notice	30 / 60 days	Ending a month-to-month tenancy: 30 days if under a year, 60 if a year or more. Many tenancies need a just-cause reason. Civ. Code §§ 1946.1, 1946.2
90-day notice	90 days	Certain situations, such as many subsidized tenancies and after foreclosure. Civ. Code § 1954.535; CCP § 1161b
Unlawful detainer summons & complaint	10 court days to respond	The court case after the notice expires: SUM-130 and UD-100. CCP § 1167 (since Jan. 1, 2025)

HOW NOTICES ARE SERVED

1. **Personal:** hand it to the tenant.
2. **Substituted:** tenant not at home or work? Leave it with a person of suitable age there **and** mail a copy to the home.
3. **Post and mail:** no address or no one suitable? Post it on the property, hand a copy to a resident if possible, **and** mail a copy to the property.

CCP § 1162. 30/60-day notices may also go by certified or registered mail (Civ. Code § 1946.1(f)).

Court papers are stricter. The UD summons must be served by a non-party adult, so not by the landlord (CCP § 414.10). Posting the summons needs a court order (CCP § 415.45).

MISTAKES THAT SINK CASES

- Asking for more than the rent owed on a 3-day notice
- Counting days wrong, or filing before the notice expires
- Skipping the mailing step
- Posting before trying personal and substituted service
- Serving the court papers yourself
- Missing payment details, a required just-cause reason, or an adult tenant

TIMELINE

1. **Day 0:** serve the notice and keep a signed proof of service.
2. **Notice period:** let it run in full. The day of service doesn't count.
3. **After it expires:** file the Summons (SUM-130) and Complaint (UD-100).
4. **Serve** each adult tenant. Optional: Prejudgment Claim of Right to Possession (CP10.5) for unknown occupants.
5. **File** the proof of service (POS-010).
6. **Response time:** 10 court days after personal service. Substituted service is complete 10 days after mailing, then 10 court days.
7. **No response:** request a default. **Response filed:** request a trial.
8. **Lockout** only by the sheriff. Self-help evictions are illegal (Civ. Code § 789.3).

Check local rules. Some cities and unincorporated LA County add notice, just-cause or filing rules. Some federally backed properties may need a 30-day notice for unpaid rent.

Free tools: deadline calculator and court filing checklist at swiftservesocal.com

Starts at $90

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