

California Eviction Defense: Protecting Low-Income Tenants 2020

**March 4, 2020, San Francisco, Live Webcast and www.pli.edu
9:00 am – 4:30 pm**

Why You Should Attend

Effective representation can make the difference between a family keeping their home and becoming homeless. The housing crisis is only getting worse in California; the tide of displacement leaves more and more people on the street. Those who are evicted face not only the loss of their home, but also displacement from their community. Successfully defending an unlawful detainer is a profound way to impact a tenant's life; housing instability and homelessness have long-term harmful consequences.

For newer attorneys with limited litigation experience, the fast-paced unlawful detainer is also an excellent opportunity to develop skills; your case may be heading into trial only a month after the summons and complaint are served. This training provides the basic knowledge you will need to effectively defend tenants from eviction, including new tenant protections effective January 1, 2020.

What You Will Learn

- Procedural basics of the limited jurisdiction unlawful detainer case;
- How to draft an effective Answer to an Unlawful Detainer Complaint and spot defects in eviction notices;
- Strategic use of responsive motions to attack faulty notices and complaints;
- Trial skills, including evidentiary motions;
- Basics of anti-discrimination laws protecting tenants, and how to assert a fair housing defense in an unlawful detainer;
- How to craft a settlement agreement that protects your client's rights.

Who Should Attend

All attorneys or law students interested in or currently assisting low-income clients with eviction matters would benefit from this program.

AGENDA

Morning Session:

9:00

Opening Remarks

Madeline S. Howard

9:15

Introduction to Unlawful Detainers

This session will provide an overview of unlawful detainer procedures and defenses available to tenants. Participants will learn to identify defects in eviction notices, draft an effective Answer to an Unlawful Detainer Complaint, and determine what type of motion to file.

Nadia Aziz, Hai Dao, Lolita Fernandes

10:45 Networking Break

11:00

Fair Housing in Unlawful Detainers

Tenants can raise unlawful discrimination as a defense in an unlawful detainer action, including failure to reasonably accommodate a disability. This segment will discuss fair housing protections available under state and federal law and how these protections can be invoked to shield tenants from discriminatory actions.

Melissa A. Morris, Matt Warren

12:30 Lunch

Afternoon Session:

1:30

Unlawful Detainer Trial

This session discusses preparation for trial, strategic considerations for determining when requesting a jury will benefit your client, jury instructions, and evidentiary issues including motions in limine. Participants will also learn about requesting a statement of decision and ensuring there is a verbatim record of the trial proceeding.

Monique Berlanga, Shirley Gibson, Lili Graham

3:00 Networking Break

3:15

Successful Settlement Agreements in Unlawful Detainers

The first step to negotiating a successful settlement is go to court! You have to be ready for trial in order to be in a strong negotiating position. This session will lay out the basics of an effective settlement agreement that protects your client's rights, and avoids pitfalls of ex parte judgments.

Lisa Kye Kim, Brandon Lawrence

4:30 Adjourn

Faculty:

Chair:

Madeline S. Howard

Senior Attorney
Western Center on Law & Poverty
Oakland, California

Nadia Aziz

Directing Attorney
Law Foundation of Silicon Valley
San Jose, California

Monique Berlanga

Directing Attorney, Tenants' Rights Program
Centro Legal de la Raza
Oakland, California

Hai Dao

Deputy Director, Housing Practice
East Bay Community Law Center
Berkeley, California

Lolita Fernandes

Staff Attorney
Bay Area Legal Aid
San Francisco, California

Shirley Gibson

Directing Attorney
Legal Aid Society of San Mateo County
Redwood City, California

Lili Graham

Staff Attorney
Disability Rights California
San Diego, California

Lisa Kye Kim

Supervising Attorney, Housing
Bay Area Legal Aid
San Francisco, California

Brandon Lawrence

Supervising Attorney
Law Foundation of Silicon Valley
San Jose, California

Melissa A. Morris

Staff Attorney
Public Interest Law Project
Oakland, California

Matt Warren

Staff Attorney
Western Center on Law & Poverty
Oakland, California

Senior Pro Bono Program Attorney: Christina Thompson