

SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA
CIVIL DIVISION

HOW TO FILE AN ANSWER TO AN UNLAWFUL DETAINER COMPLAINT

Who must file: Anyone over the age of 18, named as a defendant on an Unlawful Detainer Complaint. If you were served the complaint personally, you have 5 days to respond. If you were served by substitute service or by a posting order, you have 15 calendar days to respond. If your last day to respond falls on a Saturday, Sunday, or a court holiday, you must file your answer by 5:00 p.m. of the following business day. Failure to file an Answer to the Unlawful Detainer Complaint may result in a judgment against you and an eviction from the premises.

You must submit the proper filing fee and the following forms: Filing fee per person for filing an Answer is \$370.00 for Limited Civil Filings (\$225.00 if amount demanded is \$10,000 or less) and \$435.00 for Unlimited Civil filings. If there is a financial hardship, you may submit a Request to Waive Court Fees at the time your answer is filed, and if it is determined that you qualify, the filing fee may be waived. Each person filing an Answer will need to file a separate Request to Waive Court Fees.

Answer – Unlawful Detainer - Judicial Council form UD-105 and any supporting documents

Proof of Service by First-Class Mail-Civil - Judicial Council form POS-030

You must have someone serve a copy of your Answer and a copy of the completed Proof of Service by First Class Mail – Civil on the plaintiff (see note below). This must be done **before** you come to the Clerk's Office or the clerk cannot file your answer.

File the original documents with original signatures and correct filing fees at the clerk's office located at 800 S. Victoria Avenue, Room 210, Ventura.

How to complete and file your Answer-Unlawful Detainer: If you are representing yourself, you are in pro per. In the section at the top the Answer-Unlawful Detainer, type your name and the name of any other person answering, your address, and a telephone number.

Complete the court information with the address of the court where the plaintiff, the person who is suing you, filed the action. This information will be found on the Complaint you were served.

Enter the name of the plaintiff(s) and the defendant(s) as stated on the Complaint. Enter the case number as stated on the Complaint.

Complete sections 1 through 7 as it pertains to you.

Section 1: You must state your name as it appears on the Complaint. If this is not your "true" name, you must enter your correct name and enter the statement "erroneously sued as" then the incorrect name on the Complaint. (Example: Jane Doe erroneously sued as Jane Roe.)

Sections 3-6: Answer each statement as it pertains to you.

Section 7 must be completed in all cases.

Each person filing the answer must sign the Answer and the Verification on page 2.

***Regarding the Proof of Service by First Class Mail - Civil:** You may not complete this form. It must be completed by a person over the age of 18 years old who is not a party to the action. This person must complete all the information on this form, and place a copy of your Answer-Unlawful Detainer and a copy of the Proof of Service by First Class Mail- Civil in a stamped envelope addressed to the plaintiff or their attorney if they have one and place the envelope in the mail.