Welcome to the Eviction Law & Litigation Skills course!

Assignment for Class 1:
The first class of the course will be different from all of the other classes because I want to provide you with a fairly detailed understanding of the economic, policy, legal and practical context of evictions in our first class meeting. The readings for first class address three topics: (1) Background and context of the business of landlord with a S.F. focus; (2) Background and context about tenants’ rights and evictions; and (3) Introduction to the Unlawful Detainer (aka “Eviction”) legal cause of action and process.

All of these readings for this class are available from our TWEN website. There are more pages than I will usually assign, but I promise you all of the materials (except perhaps the statutory provisions) are very easy to read. And I think you will find them interesting and useful. As you read each document please write down your questions and comments/reactions on what you are reading to prepare for our class discussion.

(1) Background and context of the landlord business in S.F.
   - I will give a brief presentation on the landlord business in class.
   - Read “Primer on Rent Control & Just Cause Evictions (with S.F. focus)” (4 pages): This provides very general information to introduce you to rent control and S.F.’s ordinance.

(2) Background and context about tenants’ rights and evictions: These readings begin to put evictions in their social, economic and legal context.
   - Read Hartman & Robinson, Evictions: The Hidden Housing Problem (29 pages): These excerpts describe the extent of evictions, who they most affect, etc.
   - Read Shill, Comment on Evictions: The Hidden Housing Problem (9 pages): This comment presents a contrasting view.
   - Read Excerpts from Tim Iglesias, Our Pluralist Housing Ethics and the Struggle for Affordability, 42 Wake Forest L. Rev. 511 (2007) (3 pages): We’ll use this excerpt as a way to frame legal and policy debates about landlord-tenant law and policy generally and about evictions in particular.

(3) Introduction to the Unlawful Detainer (aka “Eviction”) lawsuit
   - Read Excerpt from CALIFORNIA TENANTS: A GUIDE TO RESIDENTIAL TENANTS’ AND LANDLORDS’ RIGHTS AND RESPONSIBILITIES, California Department of Consumer Affairs (2012) (6 pages): This provides a description of the eviction process for non-lawyers.
- Study Eviction Process flow chart graphic (1 page). This chart is a good start towards understanding the big picture of unlawful detainer litigation. We’ll go over this in class.
- Read Statutory provisions for Class 1: (2 pages): Collectively, these provisions set the stage for the legal requirement for landlords to use the Unlawful Detainer process to evict tenants.
  - CA Civil Code (CC) 789.3 (Self-help by Interruption of Utilities or Lockout Prohibited)
  - CC 1940.2 (Self-help by Harassment Prohibited)
  - CA Code of Civil Procedure (CCP) 1159 (Forcible Entry Prohibited)
  - CCP 1150 (Forcible Detainer Prohibited)

Please feel free to contact me at iglesias@usfca.edu if you have any questions.