



To: _____ (Tenant/Occupant) and any other occupant(s) in possession of the premises located at: _____ (Street Address) _____ (Unit Apartment #) _____ (City) _____ (State) _____ (Zip Code) ("Premises")

Other notice address if different from Premises above: _____

Note to Landlord: This form is intended to be used when the property is NOT subject to rent increase cap or just cause eviction control under any state or local law.

Under state law, the three main exemptions from rent increase caps and just cause eviction control are: (1) separately alienable single-family dwellings, including a condominiums, as long as the property is not: owned by a corporation: a limited liability company with a corporate member; or a real estate investment trust. For this exemption to apply, the landlord must first give the tenant applicable notice of the exemption; (2) dwellings built in the previous 15 years prior to this notice and (3) a duplex in which one of the units was owner occupied at the commencement and throughout the tenancy. Other exemptions may be applicable. Landlord is strongly advised to seek counsel from a qualified real estate lawyer, who is familiar with the law where the property is located, prior to serving this or any notice if (1) Landlord knows that the property is subject to a state or local rent increase cap or just cause eviction law or (2) Landlord is uncertain whether the exemptions identified in this paragraph apply to the property. Local rent control or just cause eviction control may impose additional restrictions.

Notice to the above-named person(s) and any other occupants of the above-referenced Premises: WITHIN 3 (OR [] _____ (BUT NOT LESS THAN 3)) DAYS from service of this Notice you are required to

1. Vacate the Premises and surrender possession.

If you do not give up possession by the required time, a legal action will be filed seeking damages and possession. NOTICE: Pursuant to California Civil Code, § 1785.26, you are hereby notified that a negative credit report reflecting on your credit record may be submitted in the future to a credit reporting agency if you fail to fulfill the terms of your rental/ credit obligations.

2. Forfeiture of the Lease.

The undersigned declares a forfeiture of the lease. The reason for sending this notice is the following NONCURABLE BREACH ONLY:

(Check all that apply)

- Violation of the lease covenant against subletting, assignment or committing waste.
Maintaining a nuisance.
Using the Premises for an unlawful purpose.
Occupant holding over after sale of the premises.
Tenant has failed to cure the following breach after being given notice under California Civil Code 1946.2: _____

Note: If the Premises is in a rent control jurisdiction, a different notice may be required.

Landlord/Owner/Agent _____ Date _____
Landlord/Owner/Agent _____ Date _____
Address _____ City _____ State _____ Zip _____
Telephone _____ Fax _____ E-mail _____



3. DELIVERY OF NOTICE/PROOF OF SERVICE:

This Notice was served by _____, on _____ (Date)

In the following manner: (if mailed, a copy was mailed at _____ (Location))

Emailing a notice does not satisfy the requirements of Code of Civil Procedure §§ 1162(a) or 1162(b).

To comply with state law, service attempts must be done in the following order: A, then B, then C.

- A. **Personal service.** A copy of the Notice was personally delivered to the above named Tenant.
- B. **NOTE: SUBSTITUTED SERVICE MAY BE USED IF THE TENANT IS ABSENT FROM THE TENANT'S RESIDENCE OR USUAL PLACE OF BUSINESS.**
 - Substituted service.** A copy of the Notice was left with a person of suitable age and discretion at the Tenant's residence or usual place of business and a copy was mailed to the Tenant at the Premises.
- C. **NOTE: POSTING AND MAILING OF THE NOTICE MAY BE USED ONLY IF THE TENANT'S RESIDENCE OR USUAL PLACE OF BUSINESS CANNOT BE ASCERTAINED OR IF KNOWN THEN ONLY IF NO PERSON OF SUITABLE AGE AND DISCRETION CAN BE FOUND AT THOSE LOCATIONS.**
 - Post and mail.** A copy of the Notice was affixed to a conspicuous place on the Premises and a copy was mailed to the Tenant at the Premises.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Signature of person serving Notice)

(Date)

(Print Name)

(Keep a copy for your records.)

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Reviewed by _____ Date _____

