

Notice to Vacate and Surrender Possession

To: _____,

and all other persons and/or entities in possession of the premises commonly known as:

Please be advised that the above referenced premises were recently sold following a foreclosure and a Trustee's sale.

If you are the former owner of the premises or the trustor in the deed of trust, or if you claim an interest in the Premises through the former owner or the trustor of that deed of trust, you are required to vacate and surrender possession of the Premises to the undersigned within three (3) days after service of this notice.

Alternatively, if you are a tenant of the former owner or of the trustor in the deed of trust, pursuant to a periodic tenancy or an expired lease, you are required to vacate and surrender possession of the Premises to the undersigned within ninety (90) days after service of this notice.

This notice is provided pursuant to California Code of Civil Procedure §1161a(b)(3) because the Premises have been sold in compliance with California Civil Code §2924 under a power of sale contained in a deed of trust executed by you, your predecessor-in-interest or your landlord, and the title under the sale has been duly perfected.

Be advised that unless you have vacated and surrendered possession of the Premises within the time described above, we will file an unlawful detainer (eviction) lawsuit against you to recover possession of the Premises, costs, and attorney fees, including up to \$600.00 pursuant to Code of Civil Procedure section 1174(b) and any other damages allowed by law.

Date: _____

Owner/ Agent: _____

Owner/ Agent contact info:

Penal Code §594 provides that any person who maliciously damages or destroys the property of another is subject to fine and imprisonment.

Notice to Any Renters Living at:

[street address of the unit]

The attached notice means that your home was recently sold in foreclosure and the new owner plans to evict you.

You should talk to a lawyer NOW to see what your rights are. You may receive court papers in a few days. If your name is on the papers it may hurt your credit if you do not respond and simply move out.

Also, if you do not respond within five days of receiving the papers, even if you are not named in the papers, you will likely lose any rights you may have. In some cases, you can respond without hurting your credit. You should ask a lawyer about it.

You may have the right to stay in your home for 90 days or longer, regardless of any deadlines stated on any attached papers. In some cases and in some cities with a “just cause for eviction law,” you may not have to move at all. But you must take the proper legal steps in order to protect your rights.

You may have the right to stay in your home for longer than 90 days. If you have a lease that ends more than 90 days from now, the new owner must honor the lease under many circumstances. Also, in some cases and in some cities with a “just cause for eviction law,” you may not have to move at all. But you must take the proper legal steps in order to protect your rights.

How to Get Legal Help

If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site www.lawhelpcalifornia.org, the California Courts Online Self-Help Center www.courtinfo.ca.gov/selfhelp, or by contacting your local court or county bar association.