

**Subject:** Re: Eviction process

**From:** Hanh Cao Yu <hanh.cao.yu@stanfordalumni.org>

**Date:** 2/13/2023, 1:37 PM

**To:** Mark Cao <mark.cao@gmail.com>

**CC:** HVC BUS <hvcbus@gmail.com>, Hien Cao <hcaosc@gmail.com>

Thanks for this update, Huy.

I understand from Dad that Ken has surgery scheduled in early March and would like to stay until the end of March?

On Mon, Feb 13, 2023 at 10:24 AM Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

Hanh,

Although the five-day period expired, the courts are lenient and will still allow a defendant's response if the case has not not been closed.

Even if Ken never responds, the judge could close the case as late as the end of March, which then allows us to call the Sheriff. To avoid that uncertainty, it's best to come to an agreement with the tenant.

I was treated extremely rudely over the weekend. Therefore, I assume I am no longer welcome to help Dad with (1) evicting Ken and (2) supporting him in demanding his money back from his relatives. I have cancelled my hotel and trip to HB, and have made other plans for the weekend.

Sam is welcome to rebuild the relationship at any time. He is always my father. But now, he knows there are limits and there are certain ways to treat others with respect.

Thanks,  
Huy

On Sat, Feb 11, 2023 at 6:08 AM Hanh Cao Yu <[hanh.cao.yu@stanfordalumni.org](mailto:hanh.cao.yu@stanfordalumni.org)> wrote:

Huy,

This is good news that Ken didn't respond within the allowed period of time.

Sorry I'm not up to speed. If Ken didn't respond to the Unlawful Detainer, and Dad gets default judgement, why negotiate? What advantage does Ken have if the sheriff will come to evict him?

H.

On Sat, Feb 11, 2023, 5:28 AM Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

\* I called the company handling the eviction on Friday and left them a message that they should be filing a Default (to have the Court process closure of the case), since Ken did not respond during the allowed time (5 days). That clock started on 1/30 (the date he was served). I think his five-day allowance expired on 2/6. The court sent him a Notice That You Have Been

Sued on 2/3.

\* I did not hear back from the company. So I will keep calling them each business day until I get a reply.

This eviction company seemed to lose a few days. \*After\* they request a default, we will have some leverage against Ken. The negotiation with him is a must. There is no way around that.

Huy

On Fri, Feb 10, 2023 at 6:55 AM Hanh Cao Yu <[hanh.cao.yu@stanfordalumni.org](mailto:hanh.cao.yu@stanfordalumni.org)> wrote:

Huy,

As we are not expecting Ken to pay rent after the Notice to quit, time is of the essence to get the house ready for sale. The mortgage payments will dismiss Dad's savings considerably.

Can you provide a status update and how you're keeping on top of the legal firm to avoid further errors and delays?

H.

On Mon, Jan 23, 2023 at 1:03 PM Mark Cao <[mark.cao@gmail.com](mailto:mark.cao@gmail.com)> wrote:

Hi Dad,

To summarize, here is the eviction process, which could take two months to complete.

1. 3-day Notice to Quit. Starts today, Monday, 1/23.
2. End of 3-day period will be Thursday, 1/26.
3. On Friday, 1/27, Legal Service Centers (hired by us) will file landlord's "Unlawful Detainer" complaint against Ken. From that day, he has five days to respond.
4. Around 2/6, assuming no response from Ken, Legal Service Centers will file a Default on your behalf.
5. The Court processing of that Default could take 3 - 6 weeks.
6. Approximately in March, the Court will be able to close the case. Only by then will the County Sheriff be called to physically force out the tenant.
7. After the tenant has been forced out, only after that can you withhold services from him. The most important service is that he will be unable to enter the house, as you will change the locks at that time.

Huy

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Hanh

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Hanh