

California Eviction Defense: Protecting Low-Income Tenants 2014

March 12, 2014

9:00 a.m. – 5:00 p.m.

Why You Should Attend

In the current economic climate an increasing number of low-income Californians are facing eviction. Unfortunately, many tenants are evicted without the benefit of legal counsel to guide them through the process or the representation necessary to vigorously defend against unlawful actions. As a result, families face the very real possibility of homelessness. This training is designed to help mitigate the crisis by providing attorneys with a basic understanding of eviction defense and housing law and an opportunity to connect with non-profit legal service agencies able to facilitate pro bono representation of low income families facing this predicament.

What You Will Learn

- Eviction process overview and basics
- Affirmative defenses in Unlawful Detainer actions
- Eviction defense after foreclosure
- Evictions and terminations in subsidized housing
- Fair Housing protections
- Wrap up: Pro bono opportunities in eviction defense

Who Should Attend

All attorneys interested in or currently assisting pro bono clients with eviction matters through representation or in clinical settings, law firm pro bono coordinators, managers and partners, law clinic students and faculty, and public interest and non-profit organization attorneys and staff would benefit from attending this program.

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Program Schedule

9:00

Program Overview and Introductions

S. Lynn Martinez

9:15

Eviction Process: Overview of the Basics and Affirmative Defenses in Unlawful Detainer Actions

The summary nature of the unlawful detainer action makes these cases ideal for pro bono attorneys. The day long training begins with an overview of state eviction proceedings in both private and subsidized housing, including pre-complaint notices, required allegations, motions, discovery and trials. Considerable time will be given to exploring the affirmative defenses that can be raised in an unlawful detainer answer.

Stephanie Haffner, Madeline Howard, Laura Lane

11:00

Networking Break

11:15

Eviction Defense After Foreclosure

As the foreclosure crisis continues, there is an ever increasing need for legal representation for tenants faced with eviction after foreclosure. This portion of the training will begin with an overview of the foreclosure process and will cover substantive and procedural defenses that tenants have in post-foreclosure evictions. The session will discuss the interplay between the federal Protecting Tenants at Foreclosure Act and state laws protecting post-foreclosure tenants, as well as the claim process tenants may use when joining an unlawful detainer in which they are not named.

Madeline Howard, Kari A. Rudd, Leah F. Simon-Weisberg

12:30

Lunch

1:45

Evictions & Terminations in Subsidized Housing

Particular attention must be given to tenants living in subsidized housing and the additional protections against eviction and termination of subsidy afforded by federal law. This session will explore the different types of subsidized housing and the applicable eviction and termination requirements for each program.

Navneet Grewal, Maria Palomares, Kent Qian

2:45

Fair Housing Protections

State and federal fair housing laws safeguard tenants in protected classes from landlord discrimination. This segment will discuss the different protections available under state and federal law and how these laws can be invoked to shield tenants from discriminatory actions.

Navneet Grewal, Karlo Ng, Maria Palomares

3:45

Networking Break

4:00

Pro Bono Opportunities in Eviction Defense

This section will address how pro bono and legal services attorneys can work together to represent indigent tenants in eviction cases. The session will explore the use of clinics and incubators to facilitate tenant representation.

Tamara Kinyanjui, William T. Tanner

5:00

Adjourn

Faculty

Chairperson

S. Lynn Martinez

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