

90-DAY NOTICE TO QUIT DUE TO FORECLOSURE

To Holdover Residential Tenant

NOTE: This form is used by an owner-by-foreclosure, a successor owner or their agent when they have acquired ownership of residential property at or following a foreclosure sale and seek removal of a tenant who occupied the property at the time of the foreclosure sale, to notify the tenant to vacate within 90 days.

DATE: _____, 20_____, at _____, California.

TO FORMER RESIDENTIAL TENANT: _____

Items left blank or unchecked are not applicable.

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 or 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 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 Internet Web site (www.lawhelpca.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

FACTS:

1. You were a residential Tenant under a rental or lease agreement
 - 1.1 dated _____, 20_____, at _____, California,
 - 1.2 entered into by _____, as the Tenant,
 - 1.3 and _____, as the Landlord,
 - 1.4 regarding real estate referred to as _____.

NOTICE:

2. On _____, 20_____, the real estate you occupy was sold at a foreclosure sale which extinguished your interest in the property.
3. Within ninety (90) days after service of this notice, you are required to vacate and deliver possession of the premises to the new owner-by-foreclosure, or _____.
4. If you fail to vacate and deliver possession within ninety (90) days, legal proceedings will be initiated to regain possession of the premises and to recover money damages for wrongful possession and costs.

Owner-by-foreclosure:

See attached Signature Page Addendum. [RPI Form 251]

Date: _____, 20_____

Name: _____

Signature: _____

Address: _____

Phone: _____ Cell: _____

Email: _____