

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 06/25/2012
POSITION: Neutral, note concerns

BILL NUMBER: AB 1865
AUTHOR: Alejo, Luis

BILL SUMMARY: Residential tenancies: eviction: notices.

This bill would make amendments to unlawful detainer notices.

FISCAL SUMMARY

The Judicial Council estimates the cost to make the changes to the computer systems that generate the eviction notices would be approximately \$522,000 (\$9,000 for each of the 58 courts). The Judicial Council also notes that, to the extent the provisions of this bill are implemented and the unlawful detainer notice exceeds one page in length, there could be unknown costs for additional paper.

COMMENTS

The Department of Finance is neutral on this bill because it would provide tenants facing eviction greater access to legal services; however, we have concerns that by allowing any certified entity to be included on the notice, it could be difficult for tenants to determine which entities provide free or low-cost services. Furthermore, if the provisions of this bill are implemented, it would result in additional costs inconsistent with the current budget. However, the one-time costs to make system changes are minor and absorbable given the Judicial Branch's budget.

Existing law requires the court to mail a notice to each defendant named in an unlawful detainer action. The notice must contain the name and telephone numbers of the county bar association and an office or offices funded by the Legal Services Corporation or qualified legal service projects receiving funding from the State Bar program for legal services to indigent persons.

This bill would require the notice mailed to each defendant named in an unlawful detainer action to also contain the name and telephone number of any entity that requests inclusion in the notice if the entity demonstrates to the satisfaction of the court that it has been certified by the State Bar as a lawyer referral service and maintains a panel of attorneys qualified in the practice of landlord-tenant law. This bill would also require that the notice include this statement: "The State Bar of California certifies lawyer referral services in California and publishes a list of certified lawyer referral services organized by county. To locate a lawyer referral service in your county, go to the State Bar's website at www.calbar.ca.gov or call 1-866-442-2529."

Analyst/Principal (0211) J.Sturges	Date	Program Budget Manager Lisa Ann Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Alejo, Luis

06/25/2012

AB 1865

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code
	LA	(Dollars in Thousands)					
	CO	PROP					
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015	
0250/Jud Branch	LA	No	C	522 A	-- A	--	0932
0250/Jud Branch	LA	No		----- See Fiscal Summary -----			0932
<u>Fund Code</u>		<u>Title</u>					
0932		Trial Court Trust Fund					