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California Eviction Defense Manual Horner

CLIFFORD R. HORNER, who rewrote chapter 19 in 1999 and provided update material for that chapter in 2000-2002, received his J.D. from the University of

California, Hastings College of the Law in 1991. He is a former partner with Morgan, Miller & Blair, Walnut Creek, where he specialized in commercial landlord-tenant and general real estate law. Currently he is a partner with the firm of ...

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"Code of Civil Procedure §1161(2) prevents the landlord from claiming rent due more than a year before the service of the 3-day notice. See Fifth & Broadway Partnership v Kimny, Inc. (1980) 102 CA3d 195, 202. An argument could also be made on the ground of laches that it is inequitable for a landlord to wait a full year before demanding overdue rent.

California Eviction Defense Manual by Myron Moskowitz
California Landlord-Tenant Practice

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defendant will make to
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complaint. A
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case, its arguments,
defenses, and
demands for recovery,
are included in the
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Eviction Defense

Guide — End Eviction

California Eviction Defense Manual 2ed., by Myron Moskowitz and Bay Area Legal Aid (May 1998 CEB) (hereinafter, EDM). California Residential Landlord-Tenant Practice by Myron Moskowitz (1998 CEB) (hereinafter, Moskowitz II). California Practice Guide: Landlord-Tenant by Terry Friedman, David Garcia, and Mark Hagarty (2005 TRG)(hereinafter, Friedman & Garcia). This publication is particularly ...

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