



Illegal lockout / self-help eviction complaint letter (California)

[Your name]

[Rental address, unit]

[Email] · [Phone]

[Date]

[Landlord / property manager name]

[Landlord address]

Re: Illegal lockout / self-help eviction at [rental address, unit], Los Angeles, CA [ZIP]

Dear [Landlord name],

I am writing to formally document and object to your unlawful attempt to remove me from my home at the above address without a court order.

On [date], at approximately [time], I discovered that [describe what happened — e.g., "the locks to my unit had been changed," "the front door had been removed," "my belongings had been removed from the unit and placed on the curb," "the electricity/gas/water to my unit had been shut off"]. [Add additional detail: who you spoke to, whether you were denied entry, what was removed or damaged, and any witnesses.]

Under California Civil Code § 789.3, a landlord may not, with intent to terminate a tenancy, willfully prevent a tenant from gaining reasonable access to their unit by changing the locks or blocking entry, remove outside doors or windows, remove or store a tenant's personal property without prior written consent or a court order, or interrupt utility services such as water, gas, electricity, or heat. The only lawful way to remove a tenant in California is through an unlawful detainer lawsuit that results in a court judgment and a writ of possession executed by the county sheriff — under Code of Civil Procedure §§ 1159-1160, self-help removal by force is itself grounds for a summary "forcible entry and detainer" action against the person who did it, and the California Supreme Court held in *Jordan v. Talbot* (1961) 55 Cal.2d 597 that a landlord cannot lawfully use self-help to retake possession even if the lease purports to allow it.

I am demanding that you immediately:

1. Restore my access to the unit (new keys or a working lock) no later than [e.g., 24 hours from this letter];
2. Restore all utility services that were interrupted;
3. Return any personal property that was removed, undamaged, no later than [date]; and
4. Confirm in writing that you will not attempt to remove me or my belongings from the unit again without first obtaining a court judgment and a sheriff-executed writ of possession.

If you do not comply, I will pursue all remedies available to me, including a civil action under Civil Code § 789.3(c) for actual damages, statutory damages, and reasonable attorney's fees; a claim for damages under Los Angeles Municipal Code § 45.33 (the citywide Tenant Anti-Harassment Ordinance, which specifically defines lockouts, utility shutoffs, and unlawful removal of belongings as tenant harassment); and, if appropriate, a report to law enforcement, since forcible entry can also be prosecuted as a misdemeanor under Penal Code § 418. I am also documenting this incident with photographs, witness information, and this letter, and I will keep a copy for my records.

Please contact me immediately at [phone/email] to resolve this.

Sincerely,

[Your name]