

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**SUMMONS
(CITACION JUDICIAL)**

UNLAWFUL DETAINER—EVICTION

(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

**NOTICE TO DEFENDANT: CHRIS MILLS and DOES 1-5
(AVISO AL DEMANDADO):**

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**
Tenderloin Housing Clinic, Inc

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. 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 Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

CASE NUMBER:
(Número del caso): **CUD-06 618196**

- The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
400 MCALLISTER STREET
SAN FRANCISCO, CA 94102
- The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
John P. Zanghi (SBN145845) (415) 977-0444
Zanghi Torres Arshawsky LLP
703 Market Street, Suite 1600 San Francisco, California 94103
- (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415) did not did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)
D. STEPPE, Deputy (Adjunto)

Date: **MAY 11 2006**
(Fecha)

GORDON PARK-U Clerk, by
(Secretario)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



- NOTICE TO THE PERSON SERVED: You are served
 - as an individual defendant.
 - as the person sued under the fictitious name of (specify):
 - as an occupant
 - on behalf of (specify):

<input type="checkbox"/> under <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> CCP 415.46 (occupant)	<input type="checkbox"/> other (specify):
- by personal delivery on (date):

PLAINTIFF (Name): Tenderloin Housing Clinic, Inc	CASE NUMBER:
DEFENDANT (Name): Joseph A. Williams and DOES 1-5	

6. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):
- Assistant's name:
 - Telephone no.:
 - Street address, city, and ZIP:

 - County of registration:
 - Registration no.:
 - Registration expires on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):
 John P. Zanghi (SBN 145845) Paul Arshawsky (SBN 114622)
 Zanghi Torres Arshawsky LLP
 703 Market Street, Suite 1600
 San Francisco, CA 94103

TELEPHONE NO: 415.977.0444 FAX NO:
 ATTORNEY FOR (Name): Plaintiff

INSERT NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY:
 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
 CITY AND COUNTY OF SAN FRANCISCO

CASE NAME:
 Tenderloin Housing Clinic v. Chris Mills

CIVIL CASE COVER SHEET
 Limited Unlimited

Complex Case Designation
 Counter Joinder
 Filed with first appearance by defendant
 (Cal. Rules of Court, rule 1811)

FOR COURT USE ONLY

FILED
 San Francisco County Superior Court

MAY 11 2006

GORDON PARK-LI, Clerk
 BY: Deborah Steppe
 DEBORAH STEPPE, Deputy Clerk

CASE NUMBER: CUD-06 618196

ASSIGNED JUDGE:

Please complete all five (5) items below.

1. Check one box below for the case type that best describes this case:

<input type="checkbox"/> Auto Tort <input type="checkbox"/> Auto (22)	<input type="checkbox"/> Other employment (15)	<input type="checkbox"/> Writ of mandate (02)
<input type="checkbox"/> Other P/DP/DWD (Personal Injury/Property Damage/Wrongful Death) Tort	<input type="checkbox"/> Breach of contract/warranty (06)	<input type="checkbox"/> Other judicial review (39)
<input type="checkbox"/> Asbestos (04)	<input type="checkbox"/> Collections (e.g., money owed, open book accounts) (09)	<input type="checkbox"/> Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 1800-1812)
<input type="checkbox"/> Product liability (24)	<input type="checkbox"/> Insurance coverage (18)	<input type="checkbox"/> Antitrust/Trade regulation (03)
<input type="checkbox"/> Medical malpractice (45)	<input type="checkbox"/> Other contract (37)	<input type="checkbox"/> Construction defect (10)
<input type="checkbox"/> Other P/DP/DWD (23)	<input type="checkbox"/> Real Property	<input type="checkbox"/> Claims involving mass tort (40)
<input type="checkbox"/> Non-P/DP/DWD (Other) Tort	<input type="checkbox"/> Eminent domain/Inverse condemnation (14)	<input type="checkbox"/> Securities litigation (28)
<input type="checkbox"/> Business tort/unfair business practice (07)	<input type="checkbox"/> Wrongful eviction (33)	<input type="checkbox"/> Toxic tort/Environmental (30)
<input type="checkbox"/> Civil rights (e.g., discrimination, false arrest) (08)	<input type="checkbox"/> Other real property (e.g., quiet title) (26)	<input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
<input type="checkbox"/> Defamation (e.g., slander, libel) (13)	<input type="checkbox"/> Unlawful Detainer	<input type="checkbox"/> Enforcement of Judgment
<input type="checkbox"/> Fraud (16)	<input type="checkbox"/> Commercial (31)	<input type="checkbox"/> Enforcement of judgment (e.g., sister state, foreign, out-of-county abstracts) (20)
<input type="checkbox"/> Intellectual property (19)	<input checked="" type="checkbox"/> Residential (32)	<input type="checkbox"/> Miscellaneous Civil Complaint
<input type="checkbox"/> Professional negligence (e.g., legal malpractice) (25)	<input type="checkbox"/> Drugs (38)	<input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other non-P/DP/DWD tort (35)	<input type="checkbox"/> Judicial Review	<input type="checkbox"/> Other complaint (not specified above) (42)
<input type="checkbox"/> Employment	<input type="checkbox"/> Asset forfeiture (05)	<input type="checkbox"/> Miscellaneous Civil Petition
<input type="checkbox"/> Wrongful termination (36)	<input type="checkbox"/> Petition re: arbitration award (11)	<input type="checkbox"/> Partnership and corporate governance (21)
		<input type="checkbox"/> Other Petition (not specified above) (43)

2. This case is is not complex under rule 1800 of the California Rules of Court. If case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination and related actions pending in one or more courts in other counties, states or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial post-disposition judicial disposition

3. Type of remedies sought (check all that apply):
 a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): ONE

5. This case is is not a class action suit.

Date: 5/11/06

John P. Zanghi (TYPE OR PRINT NAME)

[Signature]
 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate, Family, or Welfare and Institutions Code). (Cal. Rules of Court, rule 982.2.)
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 1800 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Number, and address):
John P. Zanghi (SBN145845), Paul Arshawsky (SBN114622)
Zanghi Torres Arshawsky LLP
703 Market Street, Suite 1600
San Francisco, CA, 94103
TELEPHONE NO.: 415.977.0444 FAX NO. (Optional):
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): Plaintiff

FILED
San Francisco County Superior Court

MAY 11 2006

GORDON PARK-LI, Clerk
BY: *Deborah Steppe*
DEBORAH STEPPE, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
STREET ADDRESS: 400 McAllister Street
MAILING ADDRESS:
CITY AND ZIP CODE: San Francisco, CA 94102
BRANCH NAME: Limited Jurisdiction

SUMMONS ISSUED

PLAINTIFF: Tenderloin Housing Clinic, Inc.

DEFENDANT: Chris Mills

DOES 1 TO 5

CASE NUMBER: CUD-06 618196

COMPLAINT — UNLAWFUL DETAINER*

COMPLAINT AMENDED COMPLAINT (Amendment Number):

Jurisdiction (check all that apply):

ACTION IS A LIMITED CIVIL CASE

Amount demanded does not exceed \$10,000
 exceeds \$10,000, but does not exceed \$25,000

ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$25,000)

ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply):

from unlawful detainer to general unlimited civil (possession not in issue) from limited to unlimited
 from unlawful detainer to general limited civil (possession not in issue) from unlimited to limited

1. PLAINTIFF(name each): Tenderloin Housing Clinic, Inc.

alleges causes of action against DEFENDANT (name each): Chris Mills

2. a. Plaintiff is (1) an individual over the age of 18 years. (4) a partnership.
(2) a public agency. (5) a corporation.
(3) other (specify):

b. Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (specify):
Tenderloin Housing Clinic, Inc.

3. Defendant named above is in possession of the premises located at (street address, apt. no., city, zip code, and county):
459 Turk Street, Room #340, city and county of San Francisco, CA, 94102

4. Plaintiff's interest in the premises is as owner other (specify): see attachment 15

5. The true names and capacities of defendants sued as Does are unknown to plaintiff.

6. a. On or about (date): 8/1/02 defendant (name each): Chris Mills

(1) agreed to rent the premises as a month-to-month tenancy other tenancy (specify):
(2) agreed to pay rent of \$ 460.00 payable monthly other (specify frequency):
(3) agreed to pay rent on the first of the month other day (specify):

b. This written oral agreement was made with
(1) plaintiff. (3) plaintiff's predecessor in interest.
(2) plaintiff's agent. (4) other (specify):

* NOTE: Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).

PLAINTIFF (Name): Tenderloin Housing Clinic, Inc.

CASE NUMBER:

DEFENDANT (Name): Chris Mills

- c. The defendants not named in item 6a are
 - (1) subtenants.
 - (2) assignees.
 - (3) other (specify): unknown occupants
 - d. The agreement was later changed as follows (specify):
Rent increased to \$465.00 effective prior 4/01/05.
 - e. A copy of the written agreement, including any addenda or attachments that form the basis of this complaint, is attached and labeled Exhibit 1. (Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)
 - f. (For residential property) A copy of the written agreement is not attached because (specify reason):
 - (1) the written agreement is not in the possession of the landlord or the landlord's employees or agents.
 - (2) this action is solely for nonpayment of rent (Code Civ. Proc., § 1161(2)).
7. a. Defendant (name each): Chris Mills

was served the following notice on the same date and in the same manner:

- (1) 3-day notice to pay rent or quit
- (2) 30-day notice to quit
- (3) 60-day notice to quit
- (4) 3-day notice to perform covenants or quit
- (5) 3-day notice to quit
- (6) Other (specify):

- b. (1) On (date): 5/8/06 the period stated in the notice expired at the end of the day.
- (2) Defendants failed to comply with the requirements of the notice by that date.

c. All facts stated in the notice are true.

d. The notice included an election of forfeiture.

e. A copy of the notice is attached and labeled Exhibit 2. (Required for residential property. See Code Civ. Proc., § 1166.)

f. One or more defendants were served (1) with a different notice, (2) on a different date, or (3) in a different manner, as stated in Attachment 8c. (Check item 8c and attach a statement providing the information required by items 7a-e and 8 for each defendant.)

8. a. The notice in item 7a was served on the defendant named in item 7a as follows:

- (1) by personally handing a copy to defendant on (date) 5/5/06
- (2) by leaving a copy with (name or description): _____, a person
a person of suitable age and discretion, on (date): _____ at defendant's
 residence business AND mailing a copy to defendant at defendant's place of residence on
(date): _____ because defendant cannot be found at defendant's residence or usual
place of business.
- (3) by posting a copy on the premises on (date): _____ AND giving a copy to a
person found residing at the premises AND mailing a copy to defendant at the premises on
(date): _____
(a) because defendant's residence and usual place of business cannot be ascertained OR
(b) because no person of suitable age or discretion can be found there.
- (4) (Not for 3-day notice; see Civil Code, § 1946 before using) by sending a copy by certified or registered
mail addressed to defendant on (date): _____
- (5) (Not for residential tenancies; see Civil Code, § 1953 before using) in the manner specified in a written
commercial lease between the parties.

b. (Name): _____
was served on behalf of all defendants who signed a joint written rental agreement.

c. Information about service of notice on the defendants alleged in item 7f is stated in Attachment 8c.

d. Proof of service of the notice in item 7a is attached and labeled Exhibit 3.

PLAINTIFF (Name): Tenderloin Housing Clinic, Inc.

CASE NUMBER:

DEFENDANT (Name): Chris Mills

- 9. Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.
- 10. At the time the 3-day notice to pay rent or quit was served, the amount of rent due was \$
- 11. The fair rental value of the premises is \$ 15.50 per day.
- 12. Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). (State specific facts supporting a claim up to \$600 in Attachment 12.)
- 13. A written agreement between the parties provides for attorney fees.
- 14. Defendant's tenancy is subject to the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage): CH. 37 OF THE SAN FRANCISCO ADMIN. CODE SEC. 37.9 ET. SEQ. (1979 AS AMENDED)

Plaintiff has met all applicable requirements of the ordinances.

- 15. Other allegations are stated in Attachment 15.
- 16. Plaintiff accepts the jurisdictional limit, if any, of the court.

17. PLAINTIFF REQUESTS

- a. possession of the premises.
- b. costs incurred in this proceeding:
- c. past-due rent of \$
- d. reasonable attorney fees.
- e. forfeiture of the agreement.
- f. damages at the rate stated in item 11 from (date): 5/9/06 for each day that defendants remain in possession through entry of judgment.
- g. statutory damages up to \$600 for the conduct alleged in item 12.
- h. other (specify): such other relief as the court deems just and proper.

18. Number of pages attached (specify): 4

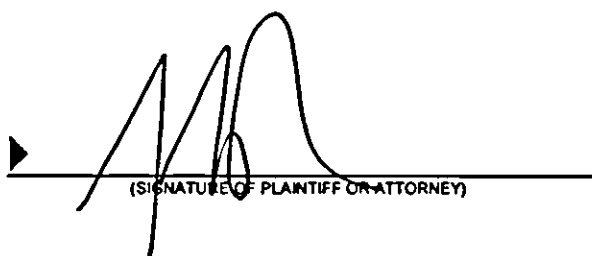
UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400-6415)

19. (Complete in all cases.) An unlawful detainer assistant did not did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, state:)

- a. Assistant's name:
- b. Street address, city, and zip code:
- c. Telephone No.:
- d. County of registration:
- e. Registration No.:
- c. Expires on (date):

Date: 5/11/06

John P. Zanghi
(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

see attached
(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF)

ATTACHMENT 15

15-1. Plaintiff is the authorized agent for the owner of the premises with express authorization to prosecute this action and recover possession in its own name.

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VERIFICATION

I, Booker Thomas, DECLARE THE FOLLOWING:

I am the employee for the plaintiff most knowledgeable about this matter and I am authorized by my employer to execute this verification.

I have read the foregoing Complaint - Unlawful Detainer and the contents thereof are true and correct, except as to those matters which are stated on information and belief, which I believe to be true and correct.

I hereby declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Dated: 5/11/06


Booker Thomas

1 John P. Zanghi (Bar No. 145845)
2 ZANGHI TORRES ARSHAWSKY LLP
3 703 Market Street, Suite 1600
4 San Francisco, CA 94103
5 (415) 977-0444
6 Attorneys for
7 The Tenderloin Housing Clinic, Incorporated

8 **THREE DAY NOTICE TO QUIT**

9 TO: Chris Mills and all other occupants of 459 Turk Street, Room #340, San Francisco,
10 California (the subject premises)

11 NOTICE IS HEREBY GIVEN that within three days after service of this notice upon you,
12 you are required to vacate the subject premises and give up possession of the subject premises to the
13 landlord, the Tenderloin Housing Clinic, Incorporated. You must quit the premises and deliver
14 possession entirely thereof to Booker Thomas, the authorized employee of the Tenderloin Housing
15 Clinic Incorporated, who is authorized to obtain possession from you. The office of Booker Thomas
16 of the Tenderloin Housing Clinic, Incorporated is located at the Vincent Hotel at 459 Turk Street,
17 San Francisco, California.

18 This notice is given in good faith, with honest intent, and without ulterior reason, pursuant to
19 California Code of Civil Procedure Section 1161 et seq., and Section 37.9 (a)(3) of the San Francisco
20 Residential Rent Stabilization and Arbitration Ordinance, on the grounds that you have committed
21 a nuisance and created a substantial interference with the comfort, safety and enjoyment of other
22 tenants and the landlord, specifically, as follows:

23 By engaging in violent and intimidating behavior directed at other residents and on-site
24 staff including your threatening staff and residents with a straight razor all of which required
25 the intervention of the San Francisco Police Department and resulted in your being taken into
26 custody.

27 By engaging in a violent physical altercation with another resident in the common areas
28 of the building to the great disturbance of other residents.

By breaking a large window in the lobby of the building while in an intoxicated
condition.

By yelling, screaming and being verbally abusive to other residents all of which
substantially interferes with their comfort and enjoyment and places them in fear for their
safety.

By threatening other residents with physical violence which places these residents in fear
for their safety.

By banging and slamming the door of your room in the late night and early morning

EXHIBIT 2

1 hours in order to disturb the other residents.

2 By physically assaulting other residents on more than one occasion and grabbing and
3 choking these residents during these attacks resulting in the issuance of a restraining order
4 against you.

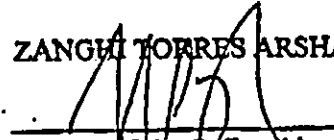
5 WITHIN THREE DAYS after service of this notice upon you, you must quit the subject
6 premises and deliver possession entirely thereof to the Tenderloin Housing Clinic, Incorporated
7 as specified above. Your failure to vacate the premises within three days after service of this
8 notice upon you will cause the Tenderloin Housing Clinic, Incorporated to initiate legal
9 proceedings against you to declare a forfeiture of your rental agreement, to recover possession
10 of the premises, and to seek judgment for rent owed through the expiration of the notice together
11 with damages for each day of occupancy after that date, and costs of suit which may include
12 court costs, and statutory penalties.

13 This notice is given pursuant to the California Code of Civil Procedure Section 1161 et
14 seq. in that the facts described above constitute grounds for recovery of possession of this rental
15 unit by the landlord.

16 **ADVICE CONCERNING THIS NOTICE IS AVAILABLE FROM THE SAN
17 FRANCISCO RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD.**

18 Dated: May 5, 2006

ZANGHI TORRES ARSHAWSKY, LLP


John P. Zanghi
Attorney for the
Tenderloin Housing Clinic, Incorporated

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