

THREE-DAY NOTICE TO PAY RENT OR QUIT

California residential nonpayment of rent • Code of Civil Procedure § 1161(2)

Read before use: This sample is general information, not legal advice. It is designed only for a California residential tenant's unpaid share of rent. Do not use it for commercial property, foreclosure occupants, lease violations, nuisance, subsidized rent owed by a public housing agency, or a no-fault termination. Check the lease, local ordinances, the Tenant Protection Act, Section 8/HAP requirements, and any CARES Act notice rules before service. A defective notice can defeat an eviction case. Consider attorney review.

Date notice prepared: _____

Date notice served: _____

Three-day period begins: _____ and expires: _____ at _____

The service day is not Day 1. Exclude Saturdays, Sundays, and judicial holidays. Confirm the actual deadline before service.

1. Tenant and premises

To tenant(s) and subtenant(s) in actual occupation:

And all other occupants in possession of:

Street address: _____

Unit: _____ City: _____ ZIP: _____

2. Demand to pay rent or quit

Within **THREE (3) DAYS** after service of this notice, excluding Saturdays, Sundays, and other judicial holidays, you are required to do one of the following:

1. **PAY** the total past-due rent stated below in full using the payment instructions in Section 4; or
2. **QUIT** and deliver possession of the premises to the landlord or authorized agent.

3. Past-due rent demanded

Demand only rent that is actually due. Do not include late fees, utilities, damages, attorney fees, or other non-rent charges in a residential notice.

Rental period covered	Rent due
From _____ through _____	\$ _____
From _____ through _____	\$ _____
From _____ through _____	\$ _____
Total past-due rent demanded	\$ _____

4. Payment instructions

Pay to: _____

Telephone: _____

Payment address: _____

Usual days and hours available to receive payment: _____

Accepted payment method(s): _____

If directing payment to a financial institution, include the account information required by CCP § 1161(2) and confirm the institution is within five miles of the rental property. Electronic transfer may be listed if that procedure was previously established.

CONSEQUENCES OF NONCOMPLIANCE: If you do not pay the total past-due rent in full or quit and deliver possession by the expiration date and time stated above, the landlord may file an unlawful detainer action to recover possession of the premises and may seek rent, damages, court costs, and other relief allowed by law.

☐ The landlord elects to declare a forfeiture of the lease or rental agreement if the default is not cured within the notice period.

Landlord / authorized agent: _____

Address: _____

Telephone: _____

Signature: _____ Date: _____

DECLARATION OF SERVICE OF NOTICE

Attach to the completed Three-Day Notice to Pay Rent or Quit

I declare that I am at least 18 years old and that on _____, I served the attached Three-Day Notice to Pay Rent or Quit on the following tenant(s), subtenant(s), and occupants:

At the premises located at:

Method of service under CCP § 1162

- ☐ **Personal service:** I delivered a copy personally to the tenant.
- ☐ **Substituted service and mailing:** The tenant was absent from the residence and usual place of business. I left a copy with a person of suitable age and discretion at the residence or usual place of business and mailed another copy to the tenant at the residence.

Name or description of person who received the copy:

Date and place of mailing: _____

- ☐ **Posting and mailing:** The residence and business could not be ascertained, or no person of suitable age and discretion could be found. I posted a copy conspicuously at the property, delivered a copy to a resident there if one could be found, and mailed another copy to the tenant at the property.

Attempt details supporting this method:

Date and place of mailing: _____

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

Executed on: _____ **at:** _____, California.

Server's printed name: _____

Server's signature: _____

Keep the signed original notice and declaration of service. Service facts matter. If substituted or posting-and-mailing service is used, document exactly why personal service was not completed and confirm that every mailing step required by CCP § 1162 was performed.

Pre-service accuracy check

- ☐ Every named tenant and known subtenant in actual occupation is addressed.
- ☐ The demand includes only the tenant's past-due rent, not a housing authority's unpaid share.
- ☐ The rent ledger, total, service date, start date, deadline, payment instructions, and consequences are clear and internally consistent.
- ☐ State, local, Section 8/HAP, VAWA, CARES Act, and just-cause requirements were checked for this property and tenant.
- ☐ A copy of the exact signed notice and this proof of service will be retained.

Primary sources: [leginfo.legislature.ca.gov](https://leginfo.ca.gov) (CCP §§ 1161 and 1162), courts.ca.gov opinion B340941, and selfhelp.courts.ca.gov/eviction-landlord. General information only. Verify current law before use.