

# HART | KING



## Landlords May Rely on Three-Day Notice Served by Their Predecessor in Interest as Grounds for Unlawful Detainer Claim

In *Lee v. Kotyluk*, decided January 7, 2021, the California Court of Appeal, Fourth District, resolved the following two legal issues relating to unlawful detainer (eviction) actions:

First, a person who buys the property from the former landlord may sue a defaulted tenant for unlawful detainer based on a notice to quit which the former landlord served on the tenant before selling the property to the buyer/plaintiff.

Second, the notice to quit is not defective for failing to name the person to whom the property is to be surrendered if the tenant wishes to quit its occupancy pursuant to the notice. The primary purpose of the notice to quit is to give the tenant an opportunity to cure its default, and to that end, the statute (CCP 1161(2)) requires the notice to contain detailed instructions on how the tenant may pay past due rent. There is no similar statutory requirement for the notice to identify to whom the tenant may surrender possession.

To read more about this case, [click here](#).

If you have any questions about the eviction process for tenants inside your mobilehome park, please contact one of the Hart King attorneys below.

*Experience Matters. We can help.*

---

**MANUFACTURED HOUSING PRACTICE GROUP**



**JOHN PENTECOST**  
Managing Partner



**BILL DAHLIN**  
Partner



**ROBERT WILLIAMSON**  
Partner



**RYAN EGAN**  
Associate

***The Collective Experience of our MHPG Attorneys Exceeds 100 years.***

---



**Hart King** represents publicly held corporations, mid-sized businesses and entrepreneurs in all state and federal courts within California. The firm offers a wide range of civil litigation and transactional services in the areas of business, commercial real estate, employment, manufactured housing, professional design & construction, and trust and estate matters.

**P: 714-432-8700 | [www.hartkinglaw.com](http://www.hartkinglaw.com) | F: 714-546-7457**

**Unsubscribe**

Hart King Marketing  
A California Law Corporation  
4 Hutton Centre Drive, Suite 900  
Santa Ana, CA 92707