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**HOOPA VALLEY TRIBAL COURT**

**HOOPA, CALIFORNIA**

\_\_\_\_\_ ) Case No.  
PLAINTIFF )  
vs. ) ANSWER TO COMPLAINT FOR  
DEFENDANT ) JUDGMENT OF UNLAWFUL DETAINER  
\_\_\_\_\_ )  
\_\_\_\_\_ )

I, \_\_\_\_\_, answer the Plaintiff's complaint for entry of a judgment of unlawful detainer under 36 HVTC 5.1(C).

I. **JURISDICTION**

A. Personal 1 HVTC §1.1.04(b)

1. **Plaintiff**

- a.  I agree that the Plaintiff  owns  leases  rents the property that is the subject of this law suit.  
 I deny the Plaintiff  owns  leases  rents the property that is the subject of this law suit. The correct information is: \_\_\_\_\_  
 I have **no knowledge** whether the Plaintiff  owns  leases rents the property that is the subject of this law suit.

- b.  I agree that the property that is the subject of this law suit is within the exterior boundaries of the Hoopa Valley Reservation.  
 I deny that the property that is the subject of this law suit is within the exterior boundaries of the Hoopa Valley Reservation. The correct information is: \_\_\_\_\_

I have **no knowledge** whether the property that is the subject of this law suit is within the exterior boundaries of the Hoopa Valley Reservation.

- c.  I agree with the Plaintiff's report of his/her current address and phone number.  
 I deny the Plaintiff's report of his/her current address and phone number. The correct information is: \_\_\_\_\_  
 I have **no knowledge** of the Plaintiff's report of his/her current address and phone number.

2. **Defendant**

- a.  I agree that I am currently in possession of the property named above.  
 I deny that I am currently in possession of the property named above. The correct information is: \_\_\_\_\_

- 1  
2 b.  I agree with the Plaintiff's report of my address and phone number.  
3  I deny the Plaintiff's report of my address and phone number. The correct  
information is: \_\_\_\_\_

4 **B. Subject Matter** (Check the one that applies)

- 5 1.  I agree that this case is brought under Hoopa Valley Tribal Code Title  
6 36, Sections II & V.  
7  I deny that this case is brought under Hoopa Valley Tribal Code Title  
8 36, Sections II & V. The correct information is: \_\_\_\_\_
- 9 2.  I agree that this case is brought under the traditional law of the Hoopa  
10 Valley Tribe, with both parties agreeing to the application of  
11 traditional law pursuant to HVTC Title I §2.1.03-2.1.04.  
12  I deny that this case is brought under the traditional law of the Hoopa  
Valley Tribe, with both parties agreeing to the application of  
traditional law pursuant to HVTC Title I §2.1.03-2.1.04. The correct  
information is: \_\_\_\_\_

13 **II. FACTUAL BACKGROUND**

- 14 A.  I agree that the property is  residential  commercial  agricultural  
15  I deny the Plaintiff's that the property is  residential  commercial  
 agricultural  
16  I have no knowledge whether the property is  residential  
 commercial  agricultural
- 17 B.  I agree that the property is  trust land  privately owned.  
18  I deny that the property is  trust land  privately owned  
 I have no knowledge whether the property is  trust land  privately owned

19 **C. Agreement with Defendant**

- 20 1.  I agree that on or about the date listed in the complaint I entered into an  
21 agreement with the Plaintiff that allowed me to live on the property.  
22  I deny that on or about the date listed in the complaint I entered into an  
agreement with the Plaintiff that allowed me to live on the property.
- 23 2.  I agree that the agreement was  written  verbal.  
24  I deny that the agreement was  written  verbal. The correct information  
is: \_\_\_\_\_
- 25 3.  I agree that the agreement allowed me to:  
a.  lease the property.  
b.  rent the property.  
c.  sub-let the property.  
d.  stay, rent free, with my permission.

I deny that the agreement allowed me to:

- b.  lease the property.
- b.  rent the property.
- c.  sub-let the property.
- e.  stay, rent free, with my permission.

The correct information is: \_\_\_\_\_

- 4 a.  I agree with the Plaintiff's statement of the rental amount.  
 I deny the Plaintiff's statement of the rental amount. The correct information is: \$ \_\_\_\_\_.
- b.  I agree with the Plaintiff's statement as to the rental period.  
 I deny the Plaintiff's statement as to the rental period. The correct information is: \_\_\_\_\_
5.  I agree with the Plaintiff's statement that the agreement  did  did not specify an end date for the defendant's tenancy.  
 I deny the Plaintiff's statement that the agreement  did  did not specify an end date for the defendant's tenancy.  
 I agree with the Plaintiff's reported Termination date of tenancy  
 I deny the Plaintiff's reported Termination date of tenancy. The correct information is: \_\_\_\_\_

D. Actions of Defendant

1.  I agree that I have not moved, though the previously agreed upon rental or lease period has expired. 36 HVTC § 5.1(C)(1)  
 I deny that I have not moved, though the previously agreed upon rental or lease period has expired. 36 HVTC § 5.1(C)(1). The correct information is: \_\_\_\_\_
2.  I agree that I was given the legally required notice period to terminate the tenancy, but I have not moved. 36 HVTC § 5.1(C)(2)-(5)  
 I deny that I was given the legally required notice period to terminate the tenancy, but I have not moved. 36 HVTC § (C)(2)-(5). The correct information is: \_\_\_\_\_
3.  I agree I have not paid rent for at least one (1) month. 36 HVTC § 5.1(C)(3)  
 I deny I have not paid rent for at least one (1) month. 36 HVTC § 5.1(C)(3).  
The correct information is: \_\_\_\_\_
4.  I agree with that I have subletted the leased or rental property in violation of the terms of the lease or rental contract. 36 HVTC § 5.1(C)(4)  
 I deny that I have subletted the leased or rental property in violation of the terms of the lease or rental contract. 36 HVTC § 5.1(C)(4)
5.  I agree that I have permitted or committed waste of the property. 36 HVTC 5.1(C)(3)  
 I deny that I have permitted or committed waste of the property. 36 HVTC 5.1(C)(3)

- 1           6.  I **agree** that I have set up or carried on any unlawful business on the  
2           property. *36 HVTC § 5.1(C)(4)*  
3            I **deny** that I have set up or carried on any unlawful business on the  
4           property. *36 HVTC § 5.1(C)(4)*  
5           7.  I **agree** that I have permitted or maintained a nuisance on the property. *36*  
6           *HVTC § 5.1(C)(4)*  
7            I **deny** that I have permitted or maintained a nuisance on the property. *36*  
8           *HVTC § 5.1(C)(4)*  
9           8.  I **agree** that I have failed or neglected to perform any material condition or  
10           covenant of the lease or rental agreement, other than those previously  
11           mentioned. *36 HVTC § 5.1(C)(4)*  
12            I **deny** that I have failed or neglected to perform any material condition or  
13           covenant of the lease or rental agreement, other than those previously  
14           mentioned. *36 HVTC § 5.1(C)(4)*

15           E. Notice to Defendant

- 16           1. I  **agree**    **deny** that on the date named in the complaint I was served  
17           with the following type of notice:  
18           a.  Thirty (30) day notice *36 HVTC § 5.1(C)(2)*  
19           b.  Five (5) day notice *36 HVTC 5.1§ (C)(2) & (5)*  
20           c.  Three (3) day notice *36 HVTC 5.1§ (C)(3) & (4)*  
21           d.  No notice *36 HVTC 5.1§ (C)(1) & 5.4(E)*  
22           The correct information is: \_\_\_\_\_  
23           2.  I **agree**    **deny** the notice was served on me in the following manner:  
24           a.  delivering a copy to the defendant personally *36 HVTC 5.1§(D)(1)*  
25           b.  leaving a copy at the defendant's residence or place of business with  
              a person of suitable age and discretion and mailing the defendant a  
              copy at his residence or place of business. *36 HVTC 5.1§(D)(2)*  
              c.  posting a copy of the notice at the rented or leased property and  
              mailing a copy the notice to the defendant. *36 HVTC 5.1§(D)(3)*  
              The correct information is: \_\_\_\_\_  
              3. a.  I **agree**    **deny** the notice allowed me to retain possession of the  
              property if:  
              i.  The back rent owed was paid within three days of service of the  
              notice. *36 HVTC § 5.1(C)(3)*  
              ii.  The defendant performs the material condition of the lease or rental  
              agreement that was previously neglected or not performed *36 HVTC §*  
              *5.1 (C)(5)*  
              The correct information is: \_\_\_\_\_  
              b.  I **agree** that I **did not** comply with the terms of the notice that would  
              have allowed me to keep possession of the property. *36 HVTC 5.1§ (C)(3) &*  
              *(5)*  
               I **deny** that I **did not** comply with the terms of the notice that would  
              have allowed me to keep possession of the property. *36 HVTC 5.1§ (C)(3) &*  
              *(5)*

1 **F. Money Damages Sought**

- 2 1.  I **agree** I owe \$ \_\_\_\_\_ in unpaid rent.  
3  I **deny** I owe \$ \_\_\_\_\_ in unpaid rent. The correct information is:

- 4 2.  I **agree** I owe \$ \_\_\_\_\_ in repair costs to the premises.  
5  I **deny** I owe \$ \_\_\_\_\_ in repair costs to the premises. The correct  
6 information is: \_\_\_\_\_

- 7 3.  I **agree** I owe the following case costs:

8  I **deny** I owe the following case costs:

- 9 i. Filing Fee: \$ \_\_\_\_\_  
10 ii. Service fee: \$ \_\_\_\_\_  
11 iii. Witness Fees: \$ \_\_\_\_\_  
12 iv. Jury Fees: \$ \_\_\_\_\_

- 13 4.  I **agree** I owe the other costs requested by the plaintiff in the complaint.  
14  I **deny** I owe the other costs requested by the plaintiff in the complaint. The  
15 correct information is: \_\_\_\_\_

16 **G. Accelerated Proceedings 36 HVTC § 5.4(A)-(C)**

17  I **agree**  I **deny** that this case should be handled in an accelerated (faster than  
18 usual) manner for the reasons stated by the Plaintiff. *If you deny the plaintiff's statement,*  
19 *check whichever of the following apply in your case:*

- 20 1.  I **deny** the property damaged will extreme, or irreparable, if I am not  
21 removed as soon as possible. Explain:

22 2.  I **deny** the property is scheduled to be rented or leased to someone other than  
23 me as of: / /

24 3.  I **deny** the property is scheduled to become the primary residence of the  
25 Plaintiff as of / /

4.  I **deny** the other reasons listed by Plaintiff. The correct information is:

**H. Defenses 2 HVTC § 2.3.14(b)**

Describe any defenses you believe you have to the claims made by the Plaintiff:

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I. Counterclaims 2 HVTC § 2.3.14(b)

Describe any counterclaims you believe you have against the Plaintiff:

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**III. Relief Requested**

I request the court

- deny the Plaintiff's request for entry of a judgment of unlawful detainer against me
- deny the Plaintiff's request for an immediate writ of possession
- deny the Plaintiff's request for an award of the money damages listed in this complaint.  
*36 HVTC § 5.4(D)*
- deny the Plaintiff's request the Court handle this complaint in an accelerated manner under 36 HVTC § 5.4(A)-(C).
- dismiss the case against me

I declare under penalty of perjury of the laws of the Hoopa Valley Tribe that the above is true and correct to the best of my knowledge.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_



IN THE TRIBAL COURT  
FOR THE HOOPA VALLEY  
TRIBE

PROOF OF SERVICE  
BY U.S. MAIL

CASE NO.

Court Address  
P.O. Box 1389 Hoopa, CA 95546

Court telephone no.  
(530) 625-4305

1. At the time of the service I was **at least 18 years old** and **not a party to this case**. I am a resident of or employed in the county where the mailing took place.

2. **My name**, residence, or business address and phone number are:

a. Name: \_\_\_\_\_

b. Address: \_\_\_\_\_

c. Phone number: \_\_\_\_\_

3. On *(date)* \_\_\_\_\_ I mailed from *(city and state)* \_\_\_\_\_ the following documents *(list names of all documents that were mailed)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. I served the documents by enclosing them in an envelope and *(check one)*:

a.  depositing the sealed envelope with the United States Postal Service with the **First Class** postage fully prepaid.

b.  depositing the sealed envelope with the United States Postal Service after paying the postage for **certified mail, return receipt requested** *(attach copy of receipt)*.

5. The envelope was addressed as follows::

a. Name of Person served: \_\_\_\_\_

b. Address of Person Served: \_\_\_\_\_

\_\_\_\_\_

6. I declare **under penalty of perjury** of the laws of the Hoopa Valley Tribe that the above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*(Signature of person who served the papers)*