

1 **HOOPA VALLEY TRIBAL COURT**

2 **HOOPA, CALIFORNIA**

3) Case No.
4)
5) ANSWER TO COMPLAINT FOR
6) JUDGMENT OF FORCIBLE DETAINER
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I, _____, answer the complaint for judgment of Forcible Detainer as follows:

I. **JURISDICTION**

A. Personal 1 HVTC §1.1.04(b)

1. **Plaintiff**

a. i. I **agree** with the Plaintiff's claim that s/he owns leases rents the property which is the subject of this law suit.

I **deny** the Plaintiff's claim that s/he owns leases rents the property which is the subject of this law suit. The correct information is:

ii. I **agree** with the Plaintiff's report of the address or description of the property.

I **deny** the Plaintiff's report of the address or description of the property. The correct information is: _____

b. I **agree** with the Plaintiff's claim that the property listed above is within the exterior boundaries of the Hoopa Valley.

I **deny** the Plaintiff's claim that the property listed above is within the exterior boundaries of the Hoopa Valley Reservation.

c. I **agree** with the Plaintiff's reported current address and phone number.

I **deny** the Plaintiff's reported current address and phone number. The correct information is: _____

2. **Defendant**

a. I **agree** with the Plaintiff's claim that I am currently residing at the property that is the subject of this suit.

I **deny** the Plaintiff's claim that I am currently residing at the property that is the subject of this suit. The correct information is:

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

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

5 1. I **agree** with the Plaintiff's statement that this case is brought under Hoopa
6 Valley Tribal Code Title 36, Sections II & V.
7 I **deny** the Plaintiff's statement that this case is brought under Hoopa Valley
8 Tribal Code Title 36, Sections II & V. The correct information is:
9 _____
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11 _____

12 2. I **agree** with the Plaintiff's statement that this case is brought under the
13 traditional law of the Hoopa Valley Tribe, with both parties agreeing to the
14 application of traditional law pursuant to HVTC Title II §2.1.03-2.1.04.
15 I **deny** the Plaintiff's statement that this case is brought under the traditional
16 law of the Hoopa Valley Tribe, with both parties agreeing to the application of
17 traditional law pursuant to HVTC Title II §2.1.03-2.1.04.

18 **II. FACTUAL BACKGROUND**

19 A. 1. I **agree** with the Plaintiff's claim that s/he inherited bought leased
20 rented the property that is the subject of this suit.
21 I **deny** the Plaintiff's claim that s/he inherited bought leased rented
22 the property that is the subject of this suit.
23 2. I **agree** with the Plaintiff's claim that the date listed in complaint is the true
24 and correct date the Plaintiff started to own/lease or rent the property.
25 I **deny** the Plaintiff's claim that the date listed in complaint is the true and correct
date the Plaintiff started to own/lease or rent the property.
I **have no knowledge of** the Plaintiff's claim that the date listed in complaint is
the true and correct date the Plaintiff started to own/lease or rent the property.

19 **B. Forcible Entry 36 HVTC 5.1(A)** (Check all that apply)

20 1. I **agree** with the Plaintiff's claim that on the date listed in the complaint I forcibly
21 entered the Plaintiff's home.
22 I **deny** the Plaintiff's claim that on the date listed in the complaint I forcibly entered
23 the Plaintiff's home.
24 a I **agree** with the Plaintiff's claim that I broke into the home.
25 I **deny** the Plaintiff's claim that I broke into the home.
a. I **agree** with the Plaintiff's claim that I entered the home by fraud,
intimidation, stealth, violence or circumstances of terror.
I **deny** the Plaintiff's claim that I entered the home by fraud,
Intimidation, stealth, violence or circumstances of terror. The correct
information is:

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2. a. I **agree** with the Plaintiff's statement that I had permission to enter the home. 36 HVTC (A)(2)

I **deny** the Plaintiff's statement that I had permission to enter the home. 36 HVTC (A)(2). The correct information is: _____

b. I **agree** with the Plaintiff's statement that on or about the date listed in the complaint, I used force, threats, or menacing behavior to turn the rightful residents out of their home.

I **deny** the Plaintiff's statement that on or about the date listed in the complaint, I used force, threats, or menacing behavior to turn the rightful residents out of their home. The correct information is: _____

I have attached witness declarations supporting my version of events.

C. Forcible Detainer 36 HVTC 5.1(B) (Check all that apply) _____

1. I **agree** with the Plaintiff's statement that on the date listed in the complaint I entered the home.

I **deny** the Plaintiff's statement that on the date listed in the complaint I entered the home. The Correct information is: _____

a. I **agree** with the Plaintiff's statement that I unlawfully entered the home at night, or when the rightful residents were not home. 36 HVTC 5.1(B)(2)

I **deny** the Plaintiff's statement that I unlawfully entered the home at night, or when the rightful residents were not home. 36 HVTC 5.1(B)(2). The correct information is: _____

I have attached witness declarations supporting my version of events.

b. I **agree** with the Plaintiff's statement that on the date listed in the complaint I was told to leave the home. 36 HVTC 5.1(B)(2)

I **deny** the Plaintiff's statement that on the date listed in the complaint I was told to leave the home. 36 HVTC 5.1(B)(2). The correct information is: _____

I have attached witness declarations supporting my version of events.

c. I **agree** with the Plaintiff's statement that I have not left the home.

I **deny** the Plaintiff's statement that I have not left the home. The correct information is: _____

2. I **agree** with the Plaintiff's claim that I am currently using force, threats, or menacing behavior to keep the rightful residents from their home. 36 HVTC 5.1(B)(1)

I **deny** the Plaintiff's claim that I am currently using force, threats, or menacing behavior to keep the rightful residents from their home. 36 HVTC

1 5.1(B)(1). The correct information is:
2 _____
3 _____

4 I have attached witness declarations supporting my version of events.

5 **D. Money Damages**

6 1. I **agree** I owe \$ _____ in unpaid rent.
7 I **deny** I owe \$ _____ in unpaid rent. The correct information is:
8 _____

9 2. I **agree** I owe \$ _____ in repair costs to the premises.
10 I **deny** I owe \$ _____ in repair costs to the premises. The correct
11 information is: _____

12 3. I **agree** I owe the following case costs:
13 I **deny** I owe the following case costs:

- 14 i. Filing Fee: \$ _____
15 ii. Service fee: \$ _____
16 iii. Witness Fees: \$ _____
17 iv. Jury Fees: \$ _____

18 4. I **agree** I owe the other costs requested by the plaintiff in the complaint.
19 I **deny** I owe the other costs requested by the plaintiff in the complaint. The
20 correct information is: _____
21 _____
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23 **E. Accelerated Proceedings 36 HVTC § 5.4(A)-(C)**

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

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

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

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

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

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F. Defenses 2 HVTC § 2.3.14(b)(Attach additional sheet if necessary)

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

G. Counterclaims 2 HVTC § 2.3.14(b)(Attach additional sheet if necessary)

Describe any counterclaims you believe you have against the Plaintiff:

III. Relief Requested

I request the court:

- deny the Plaintiff's request for entry of a judgment of forcible entry against me.**
- deny the Plaintiff's request for entry of a judgment of forcible detainer against me**
- deny the Plaintiff's request for an immediate writ of possession**
- deny the Plaintiff's request that this case be handled in an accelerated matter.**
- 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: _____

Address: _____

Phone: _____

	<p align="center">IN THE TRIBAL COURT FOR THE HOOPA VALLEY TRIBE</p>	<p align="center">PROOF OF SERVICE BY U.S. MAIL</p>	<p align="center">CASE NO.</p>
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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)