



### 3-Day Eviction Request

Title 22 allows a licensee or administrator to evict a resident of an Adult Residential Facility (ARF) or Residential Care Facility for the Elderly (RCFE) with written notice. The typical timeframe for an eviction is 30-days, but the facility may, upon obtaining prior written approval from the licensing agency, evict the resident upon three (3) days written notice. The licensing agency may grant approval for the eviction upon a finding of good cause. Good cause exists if the resident is engaging in behavior that is a threat to the mental and/or physical health or safety of himself/herself or to others in the facility.

When serving the client with either a 30-day or a 3-day eviction notice, the licensee shall, on the same day, overnight mail or fax a copy of the notice to the client's authorized representative, if any, or responsible person (or placement agency) if there is no authorized representative. Additionally, the licensee shall mail or fax to the Department a copy of the 30-day written notice within five (5) days of giving the notice to the client. Failure of the licensing agency to reply to the request for approval within two working days shall be considered approval.

The notice to quit shall state the reasons for the eviction, with specific facts supporting the reason for the eviction including the date, place, witnesses, if any, and circumstances. In addition, RCFEs must provide reasonable assistance in relocating the client, and must pursue an unlawful detainer action in Superior Court to evict a resident that will not leave.

The licensee or client are not precluded from invoking any other available remedy, such remedies include voluntary relocation, relocation by the client's authorized representative, hospitalization for mental or physical conditions, and arrest.

Upon request of a resident, or his/her designated representative, the licensing agency shall investigate the reasons given for the eviction.

RA Mears Consulting can prepare a professional 3-day eviction request to help you meet Title 22 requirements. Relevant information will be gathered by email or phone.

**Price: \$25**

**Note:** 3-Day Eviction Letters delivered outside of San Diego County will be sent by email, phone, fax, or physical mail, as agreed on.

All prices include any revisions to our documentation required by either CCL. See our *Products & Services Price List and Policies*.