

**MOTION FOR ENLARGEMENT OF TIME TO ANSWER
TENANT INSTRUCTIONS
(Forms #24 and #25)**

PURPOSE OF THESE FORMS

Use this form if you wish to have more time to answer the Complaint the Landlord has filed against you.

If possible, file this form prior to the expiration of the time required to Answer.

Normally you will have 20 calendar days after you were served a Summons and Complaint. However, in cases in which you own your mobile home and the landlord is the owner of the park and wishes to evict you from that land, the landlord has the right to seek from the court an Order Shortening Time to Answer, Form #12. The court may shorten the time to answer to as little as ten (10) judicial days¹ from the date you were served.

It is better if you can actually file an Answer rather than fill out this form because the court may not give you extra time. Thus, if you elect this form rather than the Answer, you should have a good reason why you are not filing an Answer instead. You should have access to Form #21, Answer to Complaint for Unlawful Detainer, from the same place you acquired these instructions

HOW TO CALCULATE WHEN YOUR ANSWER IS DUE

Normally your Answer is due 20 calendar days after you are served with a Summons and Complaint. However, the landlord may request that the court shorten the time you have to Answer. The minimum number of days allowed is ten (10) judicial days. You do not count the date you were served. Judicial days do not include weekend days and legal holidays.

FILLING OUT FORM #24

Header

You must fill in the blanks indicating what township and county as set forth on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

¹ "Judicial Days" do not include date of service, weekends or legal holidays.

Parties

You must fill in the names, addresses and phone numbers of the Landlord/Plaintiff and Tenant/Defendant as set forth on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

Case No. and Dept. No.

Use the identical Case Number and Department Number as was assigned on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

Body of the Motion

Check 1., indicating the date you were served.

Check 2.A. or 2.B., depending on whether an order shortening time was served upon you.

Check 3.A. or 3.B., telling the court the reasonable date you can get your answer filed.

Check 4.A., 4.B., and 4.C., stating the reason you need more time.

POINTS AND AUTHORITIES

You do not need to fill out anything here. The reason the Points and Authorities are here is because they explain the law that supports the motion.

SIGNATURE SECTION

You must sign, print your name, and put in the date where indicated in the signature block.

CERTIFICATE OF SERVICE

This document requires a "Certificate of Service." The purpose is to prove you notified the other party that you have filed or intend to file the document. The service of this document on the other party may occur before or after actual filing with the court. It is best to serve and file on the same day.

Provide the date and name of the document you delivered to the landlord or the landlord's attorney.

Fill in the address of the landlord or landlord's attorney. If the landlord is represented by an attorney, the Certificate of Service must indicate that the document is being sent to the attorney and indicate the attorney's address. If the landlord is represented by an attorney, you should not send a copy to the landlord.

Check the method by which the document was delivered.

The signature and printed name of the server are required.

FILLING OUT FORM #25

Header

You must fill in the blanks indicating what township and county as set forth on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

Parties

You must fill in the names, addresses and phone numbers of the Landlord/Plaintiff and Tenant/Defendant as set forth on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

Case No. and Dept. No.

Use the identical Case Number and Department Number as was assigned on the Landlord/Plaintiff's Complaint for Unlawful Detainer, Form #10.

Body of the Order

The court will complete this portion, with the judge either granting or denying your motion. You must check with the court to find out what has happened. That is the only way you will know when your answer must be filed. Failure to Answer will result in your eviction.

CERTIFICATE OF SERVICE

This document requires a "Certificate of Service." The purpose is to prove you notified the other party that you have filed or intend to file the document. The service of this document on the other party may occur before or after actual filing with the court. It is best to serve and file on the same day.

Provide the date and name of the document you delivered to the landlord or the landlord's attorney.

Fill in the address of the landlord or landlord's attorney. If the landlord is represented by an attorney, the Certificate of Service must indicate that the document is being sent to the attorney and indicate the attorney's address. If the landlord is represented by an attorney, you should not send a copy to the landlord.

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