

Neighborhood Nuisance

What is a nuisance?

- Somebody or something irritating: an annoying or irritating person or thing.
- Illegal thing: something not allowed by law because it causes harm or offense, either to people in general public nuisance or to an individual person.

For example:

Cars coming and going at all hours, loud parties, interrupting the neighborhood, reckless behavior, ect.

Recommendations On What To Do About A Neighborhood Problem

Identify the specific problem or nuisance and the exact location of the problem. Street address and house number, nearest cross street, location of property.

First, talk, if appropriate, to your neighbor or property owner and ask for their cooperation. If you are afraid to talk write a letter.

Talk to other neighbors as well. Find out if this is a problem that everyone has and if they feel the same way you do.

If other neighbors agree and have the same issues write a letter as a group. Give specific descriptions of the problem(s). Let them know you would like the problem resolved immediately.

If the problems continue contact the Sheriffs Office when the problem is occurring. **We do not know if something is wrong if we are not contacted.** An effort has to be made on behalf of the neighborhood to bring the problem to our attention. In most cases once law enforcement steps in the aggressor will discontinue the behaviors. But not always. If the problems persist a paper trail of incidents may be important. The issue may have to be resolved by going to court.

The neighborhood will have to take it upon themselves to begin the court process.

SONOMA COUNTY SHERIFF'S OFFICE

Sheriff-Coroner Eddie Engram



707-565-2650



2796 Ventura Ave
Santa Rosa, CA 95403



sonomasheriff.org



Important Phone Numbers

Emergency.....	9-1-1
Dispatch (Non-Emergency).....	565-2121
Business Line (Non-Emergency).....	565-2650
River Sub-Station.....	869-0202
Sonoma Valley Sub.....	996-9495



SONOMA COUNTY SHERIFF'S OFFICE

Neighborhood Nuisance, Small Claims Court and Landlord Tenant Issues



In partnership with our communities, we commit to provide professional, firm, fair, and compassionate public safety services with integrity and respect.

SONOMASHERIFF.ORG

Small Claims Court

Small claims court is a special court where disputes are resolved quickly and inexpensively. The rules are simple and informal. The person who sues is called the plaintiff. The person who is sued is called the defendant.

Who can sue in small claims court?

Any mentally competent person who is: **18 year old or older**, OR an emancipated child. If you are: **not mentally competent**, OR **under 18 years old** (and not emancipated), a judge must appoint an adult called a guardian ad litem to represent you.

How much money can I ask for?

Generally, an individual can ask for up to \$10,000 in a claim.

Do I have to pay to file?

Yes. The fee is based on the amount of your claim and the number of claims you have filed in the past 12 months. Also, a fee waiver can be obtained if you can't afford the fee.

Can I bring a lawyer?

No, a lawyer can't represent you in court. But you can talk to a lawyer before or after court.

How long do I have to wait to go to court?

You will go to court between 20 and 70 days after you file your claim.

What kinds of cases go to small claims court?

There are different kinds of cases. The most common are: car accidents, property damage, landlord/tenant rent deposit disputes, and collection of money owed.

What will happen at my hearing?

The judge will listen to both sides of the story. To help tell your side, bring evidence like:

Witnesses, Photos, Bills, Receipts, Contracts and other relevant documents that support your side. The judge may make a decision at your hearing, or mail it to you later.

Some things to consider before filing or defending a suit:

1. Have I tried to negotiate and possibly settle the dispute?
2. Have I made a demand for payment or performance?
3. Is the suit brought within the proper time limits?
4. Do I have a case, do I have a defense?
5. Who do I sue, where do I sue?
6. Can I get the defendant(s) served properly before trial?
7. Can I collect if I win?
8. Is the legal theory on which my case or defense is based sound?
9. Certain rights are waived in Small Claims Court such as plaintiff's right to appeal, pretrial discovery, etc. Also, other procedural & evidentiary rules do not apply or are applied differently in Small Claims Court.
10. Small Claims Judges, although they may, are under no obligation to explain their decisions.

Some tips for Court:

1. Be prepared.
2. Learn a little Law.
3. Get your story straight.
4. Present proof, not just a good story.
5. Don't make the Judge guess.
6. Be brief, stick to the point, and only offer relevant testimony and evidence.
7. Don't argue with the other party, direct your comments to the Judge.

Sonoma County Superior Civil Court
3055 Cleveland Ave. Santa Rosa, Ca 95403
(707) 521-6500

www.sonomasuperiorcourt.com

Legal Aid of Sonoma County
144 South E Street, Suite 100 Santa Rosa, CA 95404
(707) 542-1290

<https://legalaidsoc.org/>

Fair Housing of Sonoma County
1500 Petaluma Blvd S, Petaluma, CA 94952
(707) 765-8488

www.fhosoc.org

Sonoma County Small Claims Advisor
Empire College School of Law
3035 Cleveland Ave. Santa Rosa, CA 95403
www.empcol.edu/small-claims-advice/

Landlord Tenant Issues

Evictions and Terminations of Tenancy

Understanding The Landlord-Tenant Relationship

The Landlord-Tenant relationship is that of a contract. That contract may be written in the form of a lease or implied under State law. Each party has obligations to the other that must be fulfilled.

The Landlord must provide a housing unit that is safe, secure, and up to building code and must also respect the privacy and quiet enjoyment of the unit by the tenant.

The Tenant must pay the rent on time and maintain the premises in a sanitary and safe condition. They cannot create a public nuisance or engage in disruptive or illegal behaviors. If there are specific clauses in the written lease, the tenant must abide by them unless those clauses are in conflict with local, State, or Federal law.

Disputes between Landlords and Tenants must be resolved by legal means, not through unilateral actions. Any changes in the relationship between Landlord and Tenant must be in writing and comply with the law.

Evictions

It is illegal for a Landlord to "kick-out" a Tenant. You cannot change the locks, move out belongings or call law enforcement in order to get a Tenant out of a property. **All necessary legal actions must be taken before the Sheriff will do an eviction.** The civil process can be tedious and lengthy if not done the proper way. Although an attorney can be expensive, in the long run it may save you from costly mistakes.

