



**KERN COUNTY AUDITOR-CONTROLLER-COUNTY CLERK**

1115 Truxtun Avenue, 1st and 2nd Floor • Bakersfield, CA 93301-4639

January 1, 2016

**TEMPORARY ADDENDUM TO APPLICATION FOR UNLAWFUL DETAINER ASSISTANT DUE TO CALIFORNIA ASSEMBLY BILL 285 (Chapter 295)**

Effective January 1, 2016, the Department of Consumer Affairs shall develop the application required to be completed by a person for purposes of registration as a Legal Document Assistant. In an effort to meet the new requirements this Temporary Addendum to the application is in place only until the official application is issued by the Department of Consumer Affairs. Please refer to the complete text of the chaptered bill, which is included in your application packet.

**INDIVIDUAL REGISTRATION AS UNLAWFUL DETAINER ASSISTANT**

Registration #: \_\_\_\_\_

Individual's Name or Business Name on Application:  
\_\_\_\_\_

**RENEWAL OF REGISTRATION – Individual/Corporations-Partnership**

Per Business & Professions Code Section 6402.2, to be eligible to renew registration, the registrant shall complete 15 hours of continuing legal education courses, which meet the requirements of Section 6070 MCLE (Minimum Continuing Legal Education Requirements), during the two-year period preceding renewal. This addendum is incorporated with my application dated:  
\_\_\_\_\_.

I declare under penalty of perjury under the laws of the State of California that I have completed 15 hours of continuing legal education courses as required per B&P Code Section 6402.2, which meet the requirements set forth in B&P Code Section 6070.

<b>X</b>		
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Signature\*

Date

Place of Execution

<b>X</b>		
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Signature \*

Date

Place of Execution

\* This Addendum MUST be executed by the same signers of application submitted to the County Clerk.

## Unlawful Detainer Assistant Application Checklist

To complete the registration process, you must bring the following:

- ( ) Typed or legibly handwritten, complete and signed application.
- ( ) Valid government issued photo identification, such as your driver's license
- ( ) \$25,000.00 bond for type of registration you are applying for.  
(Individual or Corporation or Partnership – refer to code for number of assistants and bond amount)
- ( ) Filing Fees:  
\$182.00 (Cash, check, money order, Visa and most major credit cards). All checks and money orders made payable to the Kern County Clerk.  
  
\$13.00 Recording fee for the 1<sup>st</sup> page and \$3.00 for each additional page of the bond payable by check or money order made payable to the Kern County Recorder.

Optional fee:

Additional cards for employees of Unlawful Detainer Assistants shall be issued upon payment of \$10.00. Employee cards are only available with Partnership or Corporation filings.

**\*\*\*Please be aware that we are now taking appointments to process Professional Registrations. Please call our office at (661) 868-3743 at least 24 hours ahead to schedule your appointment.**

If you have any questions, you may review our copy of the Business and Professions Code Sections 6400-6415, view the Code on-line at [www.leginfo.ca.gov](http://www.leginfo.ca.gov), or purchase a copy at 75 cents per page.

## **DEFINITION OF AN UNLAWFUL DETAINER ASSISTANT WHO MUST REGISTER:**

6400. (a) "Unlawful detainer assistant" means any individual who for compensation renders assistance or advice in the prosecution or defense of an unlawful detainer claim or action, including any bankruptcy petition that may affect the unlawful detainer claim or action.

(b) "Unlawful detainer claim" means a proceeding, filing, or action affecting rights or liabilities of any person that arises under Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the **Code** of Civil Procedure and that contemplates an adjudication by a court.

(c) "Legal document assistant" means:

(1) Any person who is not exempted under Section 6401 and who provides, or assists in providing, or offers to provide, or offers to assist in providing, for compensation, any self-help service to a member of the public who is representing himself or herself in a legal matter, or who holds himself or herself out as someone who offers that service or has that authority. This paragraph does not apply to any individual whose assistance consists merely of secretarial or receptionist services.

## **FILING FEE:**

6404. An applicant shall pay a fee of one hundred seventy-five dollars (\$175) to the county clerk at the time he or she files an application for initial registration, including a primary or secondary registration, or renewal of registration. An additional fee of ten dollars (\$10) shall be paid to the county clerk for each additional identification card.

## **NEED FOR FILING A BOND:**

6405. (a) (1) An application for a certificate of registration by an individual shall be accompanied by a bond of twenty-five thousand dollars (\$25,000) executed by a corporate surety qualified to do business in this state and conditioned upon compliance with this chapter. The total aggregate liability on the bond shall be limited to twenty-five thousand dollars (\$25,000).

(e) In lieu of the bond required by subdivision (a), a registrant may deposit the amount required by subdivision (a) in cash with the county clerk.

## **TERMS OF REGISTRATION:**

6406. (a) If granted, a certificate of registration shall be effective for a period of two years, until the date the bond expires, or until the total number of legal document assistants and unlawful detainer assistants employed by a partnership or corporation exceeds the number allowed for the amount of the bond in effect, whichever occurs first. Thereafter, a registrant shall file a new certificate of registration or a renewal of the certificate of registration and pay the fee required by Section 6404.

## **INSTRUCTIONS FOR COMPLETION OF APPLICATION**

1. Please have information required either typewritten or printed legibly.
2. Complete in duplicate and a conformed copy will be returned to the registrant.
3. Certified copy may be obtained for the required statutory fee.
4. \$25,000.00 bond or \$25,00.00 cash must accompany this certificate of registration.
5. Registrant must submit valid government issued photo identification.



**UNLAWFUL DETAINER ASSISTANT REGISTRATION  
 (CORPORATE OR PARTNERSHIP)**

FOR COUNTY CLERK USE ONLY

**Registration Number** \_\_\_\_\_

If a renewal, a new # must be assigned if there is a Lapse in the period of registration.

**Expiration Date** \_\_\_\_\_

Two years from date of filing or bond expiration, Whichever comes first.

Please **TYPE** or **PRINT** legibly and firmly in **BLACK** ink. Neither the County Clerk nor her deputies are permitted by Law to give legal advice and/or assistance. This filing will be a public record and there are no refunds.

**PRIMARY REGISTRATION**

**SECONDARY REGISTRATION** – Print County of Primary Registration: \_\_\_\_\_

**Filing Fees:**

Filing Registration: \$182.00  
 (includes one ID card)  
 Each Additional ID card: \$10.00

**Additional Fees:**

Recording of bond – 1<sup>st</sup> page: \$13.00  
 Each additional page of bond: \$3.00  
 (Recording fees must be paid in a separate check)

**\*\*Completely and legibly** fill in all personal information requested in Part A.  
**\*\*Check each applicable box in Parts B - E and provide information as requested for each box that is checked. Attach legible copies of all documents requested for each box that is checked (attach certified copies and originals as specified).**  
**\*\*You must sign the completed application under penalty of perjury.**

**A. Business and Personal Information**

Name of Corporation or Partnership

Business Name

Business Street Address	City	State	Zip Code
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Business Telephone Number

**Name and Date of Birth of each Corporate Officer or General Partner**

Name:	Date of Birth:
Name:	Date of Birth:
Name:	Date of Birth:
Name:	Date of Birth:

Number of Unlawful Detainer Assistants employed by the corporation or partnership (check a box):

- 1 – 4 (\$25,000 bond)       5 – 9 (\$50,000 bond)       10 or more (\$100,000 bond)

**B. Disbarment/Suspension**

(Note: This information must be provided for each corporate officer or general partner.)

- 1. An officer or general partner is presently disbarred or suspended from the practice of law pursuant to business and Professions Code Section 6100-6117.  
**Name of corporate officer(s) or general partner(s) for whom disbarment or suspension information is provided:** \_\_\_\_\_.  
**Date of disbarment or suspension:** \_\_\_\_\_.

**C. Civil Judgment**

(Note: This information must be provided for each corporate officer or general partner.)

- 1. An officer or general partner has been held liable in final judgment or a stipulated judgment entered in a civil action that alleged fraud, use of an untrue or misleading representation, or use of an unfair, unlawful, or deceptive business practice (attach certified copy of each judgment.)  
**Name of corporate officer(s) or general partner(s) for whom judgment information is provided:**  
\_\_\_\_\_.
- 2. An officer or general partner has had a civil judgment entered against him or her in an action arising out of negligent, reckless, or willful failure to properly perform the obligation of a legal document assistant or an unlawful detainer assistant (attach certified copy of each judgment).  
**Name of corporate officer(s) or general partner(s) for whom judgment information is provided:** \_\_\_\_\_.

**D. Criminal Conviction**

(Note: This information must be provided for each corporate officer or general partner. Conviction means a plea or verdict of guilty or a conviction following a plea or nolo contendere. Any conviction dismissed under Penal Code Section 1203.4 must be included.)

- 1. An officer or general partner has been convicted of a felony (attach certified copies of each conviction and disposition.)  
**Name of corporate officer(s) or general partner(s) for whom conviction information is provided:**  
\_\_\_\_\_.
- 2. An officer or general partner has been convicted of a misdemeanor unlawful practice of law or contempt of the authority of a court under Business and Professions Code Section 6126 or 6127 (attach certified copies of each conviction and disposition.)  
**Name of corporate officer(s) or general partner(s) for whom conviction information is provided:**  
\_\_\_\_\_.
- 3. An officer or general partner has been convicted of a misdemeanor violation of the provisions on legal document assistants and unlawful detainer assistants at Business and Professions Code Section 6400-6416 (attach certified copies of each conviction and disposition.)  
**Name of corporate officer(s) or general partner(s) for whom conviction information is provided:**  
\_\_\_\_\_.

**E. Revocation of Registration**

- 1. An officer or general partner has had a registration as a legal document assistant or an unlawful detainer assistant revoked by a County Clerk under Business and Professions Code Section 6413 (attach certified copy of each revocation.)  
**Name of corporate officer(s) or general partner(s) for whom revocation information is provided:**  
\_\_\_\_\_.

## Renewal of Registration

To be eligible to renew registration, registrant shall complete 15 hours of continuing legal education courses during the two-year period preceding renewal.

I have completed the legal education courses required by Business and Professions Code Section 6402.2

I declare under penalty of perjury under the laws of the State of California that all information on this application and on all accompanying documents is true and correct.

Signature\*: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

Signature\*: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

\*Corporate applicant: Application must be signed by: The Chairman of the Board or the President; or by any Vice President AND the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer.

\*Partnership applicant: Application must be signed by at least one general partner.