

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Robert A. Krasney 362 W. 6th Street San Bernardino, CA 92401 TELEPHONE NO.: 909-884-1600 E-MAIL ADDRESS: ATTORNEY FOR (Name): Defendants	FOR COURT USE ONLY          
BAR NO. 130530  FAX NO.: 909-884-2828  SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: 17780 Arrow Highway MAILING ADDRESS: 17780 Arrow Highway CITY AND ZIP CODE: Fontana, CA 92335 BRANCH NAME: Fontana Courthouse	
Plaintiff: Pete Wilkins Defendant: Alexander Onzures & Ben Reyna II	
<b>ANSWER—UNLAWFUL DETAINER</b>	CASE NUMBER: UDFS1403537

1. Defendant (each defendant for whom this answer is filed must be named and must sign this answer unless his or her attorney signs): Alexander Onzures & Ben Reyna II

answers the complaint as follows:

2. Check **ONLY ONE** of the next two boxes:

- a.  Defendant generally denies each statement of the complaint. (Do not check this box if the complaint demands more than \$1,000.)
- b.  Defendant admits that all of the statements of the complaint are true EXCEPT:
- (1) Defendant claims the following statements of the complaint are false state paragraph numbers from the complaint or explain below or on form MC-025:  Explanation is on MC-025, titled as Attachment 2b(1).  
 1, 2, 3, 4, 5, 6, 7, 8, 11, 12 & 17
- (2) Defendant has no information or belief that the following statements of the complaint are true, so defendant denies them (state paragraph numbers from the complaint or explain below or on form MC-025):  
 Explanation is on MC-025, titled as Attachment 2b(2).

3. AFFIRMATIVE DEFENSES (NOTE: For each box checked, you must state brief facts to support it in item 3k (top of page 2).)

- a.  (nonpayment of rent only) Plaintiff has breached the warranty to provide habitable premises.
- b.  (nonpayment of rent only) Defendant made needed repairs and properly deducted the cost from the rent, and plaintiff did not give proper credit.
- c.  (nonpayment of rent only) On (date): before the notice to pay or quit expired, defendant offered the rent due but plaintiff would not accept it.
- d.  Plaintiff waived, changed, or canceled the notice to quit.
- e.  Plaintiff served defendant with the notice to quit or filed the complaint to retaliate against defendant.
- f.  By serving defendant with the notice to quit or filing the complaint, plaintiff is arbitrarily discriminating against the defendant in violation of the Constitution or the laws of the United States or California.
- g.  Plaintiff's demand for possession violates the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage):
- (Also, briefly state in item 3k the facts showing violation of the ordinance.)
- h.  Plaintiff accepted rent from defendant to cover a period of time after the date the notice to quit expired.
- i.  Plaintiff seeks to evict defendant based on acts against defendant or a member of defendant's household that constitute domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or a dependent adult. (A temporary restraining order, protective order, or police report not more than 180 days old is required naming you or your household member as the protected party or a victim of these crimes.)
- j.  Other affirmative defenses are stated in item 3k.

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3. AFFIRMATIVE DEFENSES (cont'd)

k. Facts supporting affirmative defenses checked above (identify facts for each item by its letter from page 1 below or on form MC-025):

Description of facts is on MC-025, titled as Attachment 3k.

The Notice was not served. The Notice is invalid. There is no landlord/tenant relationship. Plaintiff accepted money from the Defendants to cover a period of time after the notice.

4. OTHER STATEMENTS

a. Defendant vacated the premises on (date):

b. The fair rental value of the premises alleged in the complaint is excessive (explain below or on form MC-025):

Explanation is on MC-025, titled as Attachment 4b.

c. Other (specify below or on form MC-025 in attachment):

Other statements are on MC-025, titled as Attachment 4c.

5. DEFENDANT REQUESTS

a. that plaintiff take nothing requested in the complaint.

b. costs incurred in this proceeding.

c. reasonable attorney fees.

d. that plaintiff be ordered to (1) make repairs and correct the conditions that constitute a breach of the warranty to provide habitable premises and (2) reduce the monthly rent to a reasonable rental value until the conditions are corrected.

e. Other (specify below or on form MC-025):

All other requests are stated on MC-025, titled as Attachment 5e.

Such other and further relief as this court deems just.

6. Number of pages attached:

UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code §§ 6400-6415)

7. (Must be completed in all cases.) An unlawful detainer assistant did not did for compensation give advice or assistance with this form. (If defendant has received any help or advice for pay from an unlawful detainer assistant, state):

a. Assistant's name:

b. Telephone No.:

c. Street address, city, and zip code:

d. County of registration:

e. Registration No.:

f. Expires on (date):

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless his or her attorney signs.)

Robert A. Krasney (TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)

VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:

Ben Reyna II (TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT)

<b>SHORT TITLE</b> Wilkins v Onzures	<b>CASE NUMBER</b> UDFS14 03537
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## DECLARATION OF MAILING

**INSTRUCTIONS:** Only a person who is age 18 years or older and *not* a party to this action can serve document copies by mail. (Code Civ. Proc., § 1013a.) An unsigned copy of this *Declaration of Mailing* must be attached to and mailed with the copies. After the copies are deposited in the mail, the person who mailed them must fill out and sign this form attached as the last page of the originals for filing. (Code Civ. Proc., § 1013(b).) **WARNING: Falsifying this form can be a felony, punishable by imprisonment in state prison.** (Pen. Code, §§ 118 & 126)

- I am employed in, or a resident of, the county in which this mailing occurred, and not a party to this action. At the time of mailing, I was at least 18 years of age or older;
- I am readily familiar with the practice at the residence or business address shown below for collection and processing of correspondence for mailing with the United States Postal Service, which causes it to be sealed and deposited with said Postal Service with the postage prepaid the same day it is mailed or placed for collection and processing.
- My  residence  business address and telephone number are as follows:

<b>ADDRESS</b> 362 W. 6th St.	<b>TELEPHONE NUMBER</b> (909 ) 884-1600
<b>CITY, STATE AND ZIP CODE</b> San Bernardino, CA 92401	

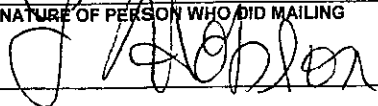
- I served the below document(s) on behalf of Alexander Onzures & Ben Reyna II (name of party) by  personally sealing and mailing with postage prepaid,  placing for collection and mailing following ordinary business practices, true copies to the addressed as shown, on the date and at the place shown, in envelope(s) sealed, or to be sealed in the ordinary course of business, and addressed as follows:

H.G. LONG  
H.G. LONG & ASSOCIATES  
634 OAK CT.  
SAN BERNARDINO, CA 92410

<b>DATE MAILED</b> July 23, 2014	<b>PLACE OF MAILING (City and state)</b> San Bernardino, CA
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5. Exact title(s) of document(s) served: Answer-Unlawful Detainer

*I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.*

<b>DATED</b> July 23, 2014	<b>TYPE OR PRINT NAME OF PERSON WHO DID MAILING</b> L. Hobson	<b>SIGNATURE OF PERSON WHO DID MAILING</b> 
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1 **ROBERT A. KRASNEY ATTORNEY AT LAW**  
2 362 W. 6TH STREET  
3 SAN BERNARDINO, CA 92401  
4 (909) 884-1600 • (909) 884-2828 Fax  
5 STATE BAR NO. 130530

6 Attorney for Defendants, Alexander Onzures & Ben Reyna II

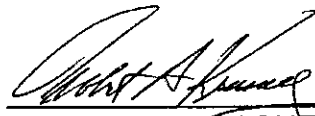
7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
8 **COUNTY OF SAN BERNARDINO**  
9 **FONTANA BRANCH**

10 **PETE WILKINS** ) **Case No.: UDFS1403537**  
11 **Plaintiff,** )  
12 **vs.** ) **DEMAND FOR JURY TRIAL**  
13 ) **PURSUANT TO CCP § 631**  
14 **ALEXANDER ONZURES AKA PUJO** )  
15 **ONZURES, BENJAMIN REYNA AKA BJ** )  
16 **REYNA II AND DOES 1-10, INCLUSIVE,** )  
17 **Defendants** )

18  
19 To the clerk of the above-entitled court and to each plaintiff and their attorneys of  
20 record:

21 NOTICE IS HEREBY GIVEN that Defendants, Alexander Onzures & Ben Reyna  
22 II, demand a jury trial in the above-named action.

23  
24 Dated: July 21, 2014

25   
26 Electronically signed pursuant  
to Civil Code § 1633.7(d)  
27 **ROBERT A. KRASNEY**  
28 **Attorney for Defendants**

1 **PETE WILKINS V ALEXANER ONZURES, ET AL.**  
2 **COUNTY OF SAN BERNARDINO SUPERIOR COURT**  
3 **Case Number UDFS1403537**

4 **PROOF OF SERVICE (C.C.P. 1013, 1013a, 2015.5)**

5 I declare that: I am employed in the County of San Bernardino, State of  
6 California. I am over the age of 18 and not a party to the within action; my business  
address is 362 W. 6<sup>th</sup> St. San Bernardino CA 92401

7 On July 23, 2014, I served the **DEMAND FOR JURY TRIAL PURSUANT TO**  
8 **CCP §631** on the interested parties in this action by placing a true copy thereof  
enclosed in sealed envelopes addressed as follows:

9  
10 **H.G. LONG**  
11 **H.G. LONG & ASSOCIATES**  
12 **634 OAK CT.**  
13 **SAN BERNARDINO, CA 92410**

14  **BY ONTRAC OVERNIGHT DELIVERY:** In such sealed envelope fully prepaid for  
Ontrac picked up at our location in San Bernardino, California.

Tracking# \_\_\_\_\_

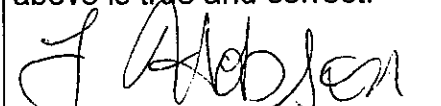
15  **BY MAIL:** I deposited such envelope, with postage thereon fully prepaid, in the  
16 mail at San Bernardino, California.

17 I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that  
18 practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at  
San Bernardino, California, in the ordinary course of business. I am aware that on motion of the parties served,  
19 service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of  
deposit for mailing affidavit.

20  **BY PERSONAL SERVICE:** I delivered such envelope by hand to the person(s)  
indicated above at approximately

21  **BY FACSIMILE.** I caused said document to be transmitted by Facsimile machine to  
22 the number indicated after the address(es) noted above. A copy of the confirmation of  
23 said transmittal is attached hereto.

24 I declare under penalty of perjury under the laws of the State of California that the  
25 above is true and correct.

26 

27 **L. Hobson**