



Judicial Council of California
Administrative Office of the Courts

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Chief Justice of California
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WILLIAM C. VICKREY
Administrative Director of the Courts

February 8, 2001

RONALD G. OVERHOLT
Chief Deputy Director

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OF THE COURTS (SAC)

Mr. Bion M. Gregory
Legislative Counsel
State of California
State Capitol, Room 3021
Sacramento, CA 95814

Mr. Gregory P. Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, CA 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, CA 95814

Re: Unlawful Detainer Pilot Project
Health and Safety Code Section 11571.1

Dear Mr. Gregory, Mr. Schmidt, and Mr. Wilson:

Attached is the Judicial Council report required pursuant to Health and Safety Code Section 11571.1 on the unlawful detainer pilot project in Los Angeles County.

This report summarizes data collected by the city attorneys of the downtown Los Angeles, Van Nuys, and Long Beach districts in which the pilot program on unlawful detainers was established by Health and Safety Code 11571.1. This report also evaluates the merits of the program to the degree possible given data limitations discussed in the body of the report.

If you have any questions related to this report, please contact Richard Schauffler, Supervising Research Analyst, at 415-865-7650.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Vickrey', with a stylized flourish at the end.

William C. Vickrey
Administrative Director of the Courts

Attachment

cc: Members of the Judicial Council
Ray LeBov, Office of Governmental Affairs
Judicial Administration Library (2 copies)

Legislative Report

Unlawful Detainer Pilot Program Health and Safety Code Section 11571.1

**Judicial Council of California
Administrative Office of the Courts
Judicial Council Services Division**

January 31, 2001

Background

The Administrative Office of the Courts, on behalf of the Judicial Council, prepared this report for the Legislature pursuant to the provision in Health and Safety Code section 11571.1 (g) (3) directing the council to “submit a brief report to the Senate and Assembly Judiciary Committees on or before January 1, 2001, summarizing the information collected pursuant to this section and evaluating the merits of the pilot program established by this section.” The Appendix to this report includes a copy of Health and Safety Code section 11571.1.

Health and Safety Code 11571.1 took effect on January 1, 1999. The statute allows city prosecutors and district attorneys in five former municipal court districts in Los Angeles County to file an action for unlawful detainer against any person who is in violation of the nuisance or illegal purpose provisions of subdivision 4 of section 1161 of the Code of Civil Procedure, with respect to a controlled substance purpose. Prior to filing an unlawful detainer action, city prosecutors and district attorneys in these municipal court districts must file a notice with the owner of the premises “requiring the owner to file an action for the removal of the person who is in violation of the nuisance or illegal purpose provisions of subdivision 4 of Section 1161 of the Code of Civil Procedure with respect to a controlled substance purpose.” The Legislative Counsel’s Digest indicates that “The sale of a controlled substance on the premises or the use of the premises in furtherance of that activity is deemed to be such a nuisance.”

Health and Safety Code 11571.1 was drafted by staff of the Los Angeles City Attorney’s Citywide Nuisance Abatement Program.¹ The five former municipal court districts to which the provision applies are the downtown and Van Nuys branches of the Los Angeles District, Long Beach, Los Cerritos and the Southeast Judicial Districts. This section remains in effect until January 1, 2002 and is automatically repealed unless a new statute deletes or extends that date.

Mandate for Data Collection and Reporting

Health and Safety Code 11571.1 (g) (1) states that “The city attorney and city prosecutor shall maintain records of all actions filed pursuant to this section, including the collection of the following information:

- (A) The number of notices provided pursuant to paragraph (1) of subdivision (a).
- (B) The number of times that an owner, upon notice, files or fails to file an action following receipt of the notice;
- (C) The number of times that an owner is joined as a defendant pursuant to this section;
- (D) As to each case filed pursuant to this section, the following information:
 - (i) The final disposition of the action;

¹ See “Office of the City Attorney Criminal Branch: Citywide Nuisance Abatement Program,” <http://www.ci.la.ca.us/atty/cnap.htm>

- (ii) Whether the defendant was represented by counsel;
- (iii) Whether the case was a trial by the court or a trial by a jury;
- (iv) Whether an appeal was taken, and, if so, the result of the appeal;
- (v) Whether the court ordered a partial eviction.”

In addition, the statute states that “After judgment is entered in any proceeding brought under this section, the court shall submit to the Judicial Council, on a form provided by the Judicial Council, information on the case. That information shall include a brief summary of the facts of the case.”

Finally, the statute provides that “copies of the records maintained pursuant to this section shall be filed annually with the Judicial Council on or before January 30 of each year.” The Judicial Council must then submit a brief report to the Senate and Assembly Judiciary Committees, “summarizing the information collected pursuant to this section and evaluating the merits of the pilot program established by this section.”

Application of the Statute

As noted above, section 11571.1 of the Health and Safety code applies to only five former municipal judicial districts in the county of Los Angeles. These five districts, however, include fourteen cities covered by thirteen different city attorneys. Therefore, the statute authorizes thirteen city attorneys to file notices with landlords requiring them to evict tenants or file actions for unlawful detainer directly against tenants.

In the fall of 1999, staff of the Administrative Office of the Courts (AOC) contacted the offices of the attorneys and courts covered by the statute to coordinate the transfer of records from city attorneys and branch courts. Of the thirteen city attorneys covered under the statute, only the city attorneys in the Los Angeles City Attorney’s office – covering both the downtown Los Angeles and the Van Nuys Districts – and the Long Beach District planned to use the authority conferred upon them by the statute. In the Los Cerritos District, city attorneys from the five cities in the District met and decided not to use the statute. City attorneys for the cities within the Southeast District had not been given any direction to use the statute.

Data Limitations

Health and Safety Code section 11571.1 requires that the Judicial Council summarize data collected from city attorneys as well from the courts. Having identified the two city attorneys’ offices that intended to use the authority granted under this statute and the three former municipal court districts where these cases would be filed, AOC staff contacted these offices to arrange for the timely reporting of data. AOC staff informed city attorneys of the reporting requirements in the statute. Staff requested that the city

attorneys' offices provide copies of "records of all actions filed pursuant to this section" as indicated in Health and Safety Code 11571.1 (g) (1).

The Deputy City Attorney of Los Angeles believes that the statute requires the office to maintain such records only for cases in which a judgement is obtained. Although the Deputy City Attorney agreed to provide additional summary information requested on the one case for which an unlawful detainer action was filed in 1999, this is only summary information and does not allow for an examination of the details of the case. The Deputy City Attorney for Long Beach agreed to send actual copies of the notices sent to landlords and tenants under this statute.

The courts in downtown Los Angeles, Van Nuys, and Long Beach agreed to provide the information mandated by the statute, however, they were uncertain that they would be able to track these cases. There is no way of flagging unlawful detainer cases that are brought under this statute as opposed to other unlawful detainer cases. In the entire County of Los Angeles, over 82,000 unlawful detainer cases were filed in 1999. The Los Angeles City Attorney only filed one unlawful detainer action under this statute during that same period and ultimately dismissed the case.

The Long Beach City Attorney has provided actual copies of the notices sent to landlords and tenants as well as additional documentation that allows for a more careful examination of the implementation of this statute. In addition to the summary tally of eviction notices sent, the City Attorney of Long Beach has provided copies of 24 notices sent to landlords and tenants in 1999. Most of these cases include copies of landlord responses and additional documents related to the cases. Although the paperwork is not complete for all of these cases, it does allow us to look more closely at how the statute is being used in Long Beach.

One final limitation of the data has to do with the reporting period established under the statute. Health & Safety Code section 11571.1 establishes that data should be reported to the Judicial Council on or before January 30 making only one year of data available before this report to the legislature is due. AOC staff requested that the Los Angeles and Long Beach City Attorneys provide additional information on their use of the statute from January 1, through August 31, 2000 in order to augment the 1999 data. The Los Angeles City Attorney provided summary statistics for this period, however, the Long Beach City Attorney has not.

Summary Statistics on the Use of Health and Safety Code Section 11571.1

Los Angeles Downtown and Van Nuys

Table 1 shows that in 1999, the Los Angeles City Attorney's office sent 159 notices to property owners requiring that they evict tenants pursuant to Health & Safety Code section 11571.1. Of these, the City Attorney filed only one unlawful detainer action

which it subsequently dismissed. Almost 19 percent of the 159 notices – 30 cases – resulted in the filing of an unlawful detainer action by the landlord.

Table 1
 Notices Sent under Health and Safety Code 11571.1 in 1999:
 Los Angeles Downtown and Van Nuys

Number of Notices to Evict Sent by City Attorney to Property Owners	159
Number of UD Actions Filed by Property Owners after Notice	30
Number of UD Actions Filed by City Attorney	1

Table 2 shows the final disposition of the 30 unlawful detainer actions filed by landlords against tenants. Almost half of the unlawful detainer filings – 13 cases – resulted in a lock out by the Sheriff. In one third of the cases, tenants voluntarily vacated the premises after the unlawful detainer was filed. Two of the remaining seven cases were unresolved when the data was sent to the Judicial Council, in another two a stipulated judgment was made in favor of the plaintiff, and in one a judgment was made in favor of the defendant.

Table 2
 Final Disposition of Unlawful Detainer Cases Filed by Landlords in 1999:
 Los Angeles Downtown and Van Nuys

Lock Out by Sheriff	13
Unit Vacated after UD Filing	10
Pending	2
Stipulated Judgment for Plaintiff	2
Judgment for Defendant	1
Defendant Jailed on Different Charge	1
Waiting for Lockout	1
Total	30

Table 3 shows the number of eviction notices sent in the first eight months of 2000 by the Los Angeles City Attorney's office. By the end of August, 2000, the City Attorney of Los Angeles had already sent 173 eviction notices, 14 more than had been sent in all of 1999. Although the City Attorney did not file any unlawful detainer actions in these cases, the number of unlawful detainer actions filed by property owners rose slightly from 1999 to approximately 22 percent of the cases, or 39 of the 173 notices sent by the City Attorney.

Table 3
 Notices Sent under Health and Safety Code 11571.1 January 1 to August 31, 2000:
 Los Angeles Downtown and Van Nuys

Number of Notices to Evict Sent by City Attorney to Property Owners	173
Number of UD Actions Filed by Property Owners after Notice	39
Number of UD Actions Filed by City Attorney	0

Table 4 shows the final disposition of the unlawful detainer cases filed by landlords in the first eight months of 2000 as a result of the City Attorney's eviction notices sent under Health and Safety Code 11571.1. As in 1999, the two most common occurrences following an unlawful detainer action were a lock out by the Sheriff and the voluntary vacating of the premises by the tenant.

Table 4
 Final Disposition of Unlawful Detainer Cases Filed by January 1 to August 31, 2000:
 Los Angeles Downtown and Van Nuys

Lock Out by Sheriff	13
Unit Vacated after UD Filing	15
Pending	7
Stipulated Judgment for Plaintiff	3
Waiting for Lockout	1
Total	39

The biggest discrepancy between the 1999 and 2000 numbers appears to be in the rate of eviction notices filed. In 1999, the City Attorney's office of Los Angeles filed 13.2 notices per month. For the first eight months of 2000, the City Attorney's office filed eviction notices at a rate of 21.6 per month. If the City Attorney continues to file eviction notices at this rate, we should expect approximately 259 eviction notices to be sent by the end of 2000, an increase of almost 63 percent over the previous year.

Without case-level data, however, it is impossible even to draw the conclusion that this difference represents a real increase in the number of notices sent between 1999 and 2000. There is no way of determining if the average number of notices sent per month is relatively constant across the year or if the City Attorney's office was still putting the program into place during the early part of the year and only began issuing notices in the latter part of the year. If the City Attorney's office spent the first four and a half months of 1999 preparing to implement the program and only began issuing eviction notices in May of 1999, then the number of eviction notices sent each month would be almost exactly the same as the number per month sent in the first eight months of 2000.

Long Beach

Table 5 shows the number of notices sent by the City Attorney of Long Beach, the number of times owners filed unlawful detainer actions following the notice, and the number of unlawful detainer actions filed by the City Attorney in 1999. During the calendar year of 1999, the Long Beach City Attorney filed 33 notices under Health & Safety Code section 11571.1, slightly more than one fifth as many as were filed by the City Attorney of Los Angeles during the same period.

Table 5
Notices Sent under Health and Safety Code 11571.1 in 1999: Long Beach

Number of Notices to Evict Sent by City Attorney to Property Owners	33
Number of UD Actions Filed by Property Owners after Notice	7*
Number of UD Actions Filed by City Attorney	0*

* Out of 24 Cases Examined

Although the City Attorney of Long Beach did not provide data for the year 2000, it did send copies of the notices and other related paperwork for 24 cases from 1999 and for an additional eleven cases in which Health & Safety Code section 11571.1 was invoked to abate a nuisance *without* requiring the eviction of a tenant. In seven of the 24 cases for which this paperwork was provided, landlords filed an unlawful detainer action against their tenant. Of these 24 cases, there is no paperwork indicating that the Long Beach City Attorney filed any unlawful detainer actions under this code section.

The additional documentation provided by the City Attorney of Long Beach allows for further assessment of the use of the statute. Copies of the City Attorney's letters to landlords and tenants, the responses of landlords, notices to quit the premises, and court documents make it possible to construct a picture of how this section of the Health & Safety Code has been used in the 24 cases for which this paperwork is available.

Timing and Dates of City Attorney Notices and Eviction Notices

All of the 24 notices in the sample of notices sent by the Long Beach City Attorney were sent between September 23 and December 28 of 1999. The concentration of these 24 notices in the span of barely three months indicates a much higher rate of notices sent than would be suggested from looking at the summary data. The summary data indicates only that 33 notices were sent for the entire year, a rate of 2.75 notices per month. The concentration of more than two thirds of the 33 notices in this three month period indicates a rate of eight notices per month. Whether or not the remaining notices were spread out during the entire year or concentrated like the notices for which this data is available cannot be determined.

Sixteen of the 24 notices sent by the Long Beach City Attorney's office also contain information on the date by which the landlord responded to the notice. Four of the 16 eviction notices were actually filed by landlords *prior* to the date on the City Attorney's notice. In each of these four cases, tenants had been served notice to pay back rent or quit the premises. In one of the cases, the landlord indicated that he had spoken to the tenant about "drugs and 'friends' coming to her apartment."

The remaining twelve eviction notices sent by landlords to tenants were sent to tenants between two days and 34 days following the date on the City Attorney's notice. Seven of the eviction notices were sent within a week of the date on the City Attorney's notice; two were sent within two weeks, and; three were sent more than two weeks after the date of the original notice from the City Attorney.

Timing and Dates of Unlawful Detainer Actions and Tenant Departure

As indicated above, unlawful detainer actions were filed by landlords in seven of the 24 cases for which the Long Beach City Attorney provided paperwork. In three of these seven cases, unlawful detainer actions were filed with the court *prior* to the date on the City Attorney's notice. In one of these cases, an unlawful detainer action had been filed 43 days prior to the date on the City Attorney's notice. All but one of the remaining four unlawful detainer actions were filed within a month of the date of the notice by the City Attorney's office.

There is also information available on the date that the premises were vacated in seven of the 24 cases for which the Long Beach City Attorney sent documentation. Two of the tenants who were the subject of the City Attorney's notice had already voluntarily vacated the premises 19 and 37 days *prior* to the date on the notice from the City Attorney's office. Of the remaining five tenants for which we have data on the date that they quit the premises, one vacated eight days after the notice; another vacated 13 days after the notice; two vacated 35 days after the notice, and; one vacated 36 days after the notice.

Drug Activity, Housing Status, and Types of Eviction Notices

Notices sent by the Long Beach City Attorney’s office indicate the type of drugs involved in the public nuisance for which tenants are being evicted (See Table 6). All 24 of the cases that have documentation attached indicate at least one drug. Cocaine is cited in half of the notices. Three of these cases indicate rock cocaine as the drug, the others do not specify whether the cocaine is rock or powder. The second most common drug cited in notices by the City Attorney’s office is marijuana which is mentioned in six of the 24 cases. The remaining notices include references to methamphetamine (two cases), codeine/soma pills (two cases), PCP (one case), and pseudoephedrine (one case). One of the cases in which cocaine is cited also mentions heroin.

Table 6
Drug Activity Cited by City Attorney in Notice to Evict: Long Beach

Cocaine	12
Marijuana	6
Methamphetamine	2
Codeine/Soma pills	2
PCP	1
Pseudoephedrine	1
Total	24

Response forms provided by the City Attorney’s office allowed landlords to request that the City Attorney’s office file an unlawful detainer action on their behalf. These forms also provide space for landlords to inform the City Attorney when eviction notices were sent or unlawful detainer actions filed, detail any mitigating circumstances in the case, and indicate if the tenants subject to the eviction notice are participants in the Housing Authority Section 8 Program. Twenty of the 24 cases with accompanying documents included this response form.

None of the landlords who filed a response form requested that the City Attorney bring an unlawful detainer action on their behalf. Only one of the tenants was identified as a participant in the Housing Authority Section 8 Program. Fifteen of the 24 cases for which there is documentation indicate the type of eviction notice tenants were sent. An equal number of tenants – seven and seven – were served three-day and thirty-day eviction notices; one tenant was served a fifteen-day notice.

Conclusion

Health and Safety Code section 11571.1 (g) (3) directs the Judicial Council to evaluate the merits of the pilot program established under this law. To date, the law has affected a negligible percentage of the total number of unlawful detainer actions filed in the courts.

In 1999, 82,644 unlawful detainer actions were filed in the entire county of Los Angeles. The 38 unlawful detainer actions filed in 1999 as a consequence of this code section – 37 by landlords in response to notices from City Attorneys and one by the Los Angeles City Attorney – represent less than one-half of one one-hundredth of one percent of the unlawful detainer cases that came before the courts. The impact of the law upon the courts, landlords, tenants, and residents of the communities in which it has been implemented cannot be assessed with the data available. Therefore, the Judicial Council is unable to provide an evaluation of the merits of the pilot program.

Appendix A: Health and Safety Codes 11570, 11571, and 11571.1

11570. Every building or place used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled substance, precursor, or analog specified in this division, and every building or place wherein or upon which those acts take place, is a nuisance which shall be enjoined, abated, and prevented, and for which damages may be recovered, whether it is a public or private nuisance.

11571. Whenever there is reason to believe that a nuisance as described in Section 11570 is kept, maintained, or exists in any county, the district attorney of the county, in the name of the people, may, or the city attorney of any incorporated city or of any city and county, or any citizen of the state resident in the county, in his or her own name, may maintain an action to abate and prevent the nuisance and perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place, in or upon which the nuisance exists, from directly or indirectly maintaining or permitting the nuisance.

11571.1. (a) To effectuate the purposes of this article, the city prosecutor or city attorney may file, in the name of the people, an action for unlawful detainer against any person who is in violation of the nuisance or illegal purpose provisions of subdivision 4 of Section 1161 of the Code of Civil Procedure, with respect to a controlled substance purpose. In filing this action, the city prosecutor or city attorney shall utilize the procedures set forth in Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the Code of Civil Procedure, except that in cases filed under this section, the following also shall apply:

(1) Prior to filing an action pursuant to this section, the city prosecutor or city attorney shall give 15 calendar days written notice to the owner, requiring the owner to file an action for the removal of the person who is in violation of the nuisance or illegal purpose provisions of subdivision 4 of Section 1161 of the Code of Civil Procedure with respect to a controlled substance purpose. This

notice shall include sufficient documentation establishing a violation of the nuisance or illegal purpose provisions of subdivision 4 of Section 1161 of the Code of Civil Procedure and shall be served upon the owner and the tenant in accordance with subdivision (e) of this section. The owner shall, within 15 calendar days of the mailing of the written notice, either provide the city prosecutor or city attorney with all relevant information pertaining to the unlawful detainer case, or provide a written explanation setting forth any safety-related reasons for noncompliance, and an assignment to the city prosecutor or city attorney of the right to bring an unlawful detainer action against the tenant. The assignment shall be on a form provided by the city prosecutor or city attorney and may contain a provision for costs of investigation, discovery, and reasonable attorney's fees, in an amount not to exceed six hundred dollars (\$600). If the city prosecutor or city attorney accepts the assignment of the right of the owner to bring the unlawful detainer action, the owner shall retain all other rights and duties, including the handling of the tenant's personal property, following issuance of the writ of possession and its delivery to and execution by the appropriate agency.

(2) Upon the failure of the owner to file an action pursuant to this section, or to respond to the city prosecutor or city attorney as provided in paragraph (1), or having filed an action, if the owner fails to prosecute it diligently and in good faith, the city prosecutor or city attorney may file and prosecute the action in municipal court, and join the owner as defendants in the action. This action shall have precedence over any similar proceeding thereafter brought by the owner, or to one previously brought by the owner and not prosecuted diligently and in good faith. Service of the summons and complaint upon the defendant owner shall be in accordance with Sections 415.10, 415.20, 415.30, 415.40, and 415.50 of the Code of Civil Procedure.

(3) If a jury or court finds the defendant tenant guilty of unlawful detainer in a case filed pursuant to paragraph (2), the city prosecutor or city attorney may be awarded costs, including the costs of investigation and discovery and reasonable attorney's fees. These costs shall be assessed against the defendant owner, to whom notice was directed pursuant to paragraph (1), and once an abstract of judgment is recorded, it shall constitute a lien on the subject real property.

(4) Nothing in this article shall prevent a local governing body from adopting and enforcing laws, consistent with this article relating to drug abatement. Where local laws duplicate or supplement

this article, this article shall be construed as providing alternative remedies and not preempting the field.

(5) Nothing in this article shall prevent a tenant from receiving relief against a forfeiture of a lease pursuant to Section 1179 of the Code of Civil Procedure.

(b) In any proceeding brought under this section, the court may, upon a showing of good cause, issue a partial eviction ordering the removal of any person, including, but not limited to, members of the tenant's household if the court finds that the person has engaged in the activities described in subdivision (a). Persons removed pursuant to this section may be permanently barred from returning to or reentering any portion of the entire premises. The court may further order as an express condition of the tenancy that the remaining tenants shall not give permission to or invite any person who has been removed pursuant to this subdivision to return to or reenter any portion of the entire premises.

(c) For the purposes of this section, "controlled substance purpose" means the manufacture, cultivation, importation into the state, transportation, possession, possession for sale, sale, furnishing, administering, or giving away, or providing a place to use or fortification of a place involving, cocaine, phencyclidine, heroin, methamphetamine, or any other controlled substance, in a violation of subdivision (a) of Section 11350, Section 11351, 11351.5, 11352, or 11359, subdivision (a) of Section 11360, or Section 11366, 11366.6, 11378, 11378.5, 11379, 11379.5, 11379.6, or 11383.

(d) Notwithstanding subdivision (b) of Section 68097.2 of the Government Code, a public entity may waive all or part of the costs incurred in furnishing the testimony of a peace officer in an unlawful detainer action brought pursuant to this section.

(e) The notice and documentation described in paragraph (1) of subdivision (a) shall be given in writing and may be given either by personal delivery or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to the owner at the address known to the public entity giving the notice, or as shown on the last equalized assessment roll, if not known. Separate notice and documentation shall be provided to the tenant in accordance with this subdivision. Service by mail shall be deemed to be completed at the time of deposit in the United States mail. Proof of giving the notice may be made by a declaration signed under penalty of perjury by any employee of the public entity which shows service in conformity with this section.

(f) This section shall only apply to the following courts in the

County of Los Angeles:

- (1) Los Angeles Judicial District, downtown courthouse.
- (2) Los Angeles Judicial District, Van Nuys Branch.
- (3) Los Cerritos Judicial District.
- (4) Southeast Judicial District.
- (5) Long Beach Judicial District.

(g) (1) The city attorney and city prosecutor shall maintain records of all actions filed pursuant to this section, including the collection of the following information:

(A) The number of notices provided pursuant to paragraph (1) of subdivision (a).

(B) The number of times that an owner, upon notice, files or fails to file an action following receipt of the notice.

(C) The number of times that an owner is joined as a defendant pursuant to this section.

(D) As to each case filed pursuant to this section, the following information:

(i) The final disposition of the action.

(ii) Whether the defendant was represented by counsel.

(iii) Whether the case was a trial by the court or trial by a jury.

(iv) Whether an appeal was taken, and, if so, the result of the appeal.

(v) Whether the court ordered a partial eviction.

(2) After judgment is entered in any proceeding brought under this section, the court shall submit to the Judicial Council, on a form provided by the Judicial Council, information on the case. That information shall include a brief summary of the facts of the case.

(3) Commencing January 1, 2000, copies of the records maintained pursuant to this section shall be filed annually with the Judicial Council on or before January 30 of each year. The Judicial Council shall thereafter submit a brief report to the Senate and Assembly Judiciary Committees on or before January 1, 2001, summarizing the information collected pursuant to this section and evaluating the merits of the pilot program established by this section.

(h) This section shall remain in effect only until January 1, 2002, and as of that date is repealed unless a later enacted statute deletes or extends that date.