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PRACTICE GUIDE · REAL PROPERTY

Theories of Liability & Common Defenses

Grand Park Law Group · 2026



Plaintiff's Theories of Liability

- Quiet TitleCCP § 760.010 et seq.
- Partition of Co-Owned PropertyCCP § 872.010 et seq.; UPHPA
- Wrongful EvictionCiv. Code § 789.3; AB 1482
- Construction DefectsSB 800 (Right to Repair Act)
- Easement & Boundary DisputesCiv. Code §§ 801, 801.5
- Fraudulent Conveyance / CUVTACiv. Code § 3439 et seq.

Common Defense Theories

- Bona Fide Purchaser Without NoticeCiv. Code § 1214
- Statute of LimitationsCCP §§ 318, 319, 325
- Just Cause Under Tenant Protection ActAB 1482; Civ. Code § 1946.2
- Exhaustion of SB 800 Pre-Litigation ProcessCiv. Code § 895 et seq.
- Adverse Possession Elements MissingCCP § 325
- Ellis Act Defense to Eviction ClaimsGov. Code §§ 7060–7060.7

Practice	Real Property
Publication	Practice guide · 2026

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