



HOUSING RIGHTS IN CALIFORNIA

California Rural Legal Assistance Foundation

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California Laws Protect All Tenants—Regardless of Immigration Status

YOU HAVE THE RIGHT TO...

Have legal process before an eviction:

You do not have to move out immediately if the landlord asks for the house. *The owner cannot change the lock himself!* There are legal steps:

- (1) Written notice (3-day notice, 30-day notice, etc.).
- (2) Civil lawsuit in court. As a tenant, you have the right to respond to the lawsuit and have a hearing so that the judge or jury can hear your defenses. Only if the owner wins...
- (3) Notice of eviction. After 5 days, the sheriff can perform an eviction.

(Exception: If you rent a room in the same house with the landlord, and there is no other tenant, the landlord can give a month's written notice (one week if paid weekly) and after that period call the police to help. If there is any doubt, the police should leave it to the court.)

Live in habitable conditions:

The landlord must keep the apartment or house in habitable condition according to the Housing Code and the lease. Hot water, adequate heating, free of mold and animals, etc.

If the tenant gives written notice and the landlord still refuses to make repairs, in certain situations, the tenant has the option of withholding rent until the issue is fixed, or using the rent to make the repairs. However, it is important to be ready to show photos and receipts, and to pay the entire rent amount.

Be free from retaliation and discrimination:

The landlord may not retaliate against the tenant for complaining about uninhabitable conditions, organizing with their neighbors, or otherwise asserting their rights as a tenant.

The landlord also may not discriminate on the basis of your race, ethnicity, religion, language, immigration status, family status, etc. of the tenant (whether real or perceived).

Prohibited retaliatory or discriminatory acts include: raising rent, canceling lease, denying housing, lowering services, giving unequal terms, or asking for proof of citizenship.

...and more rights on the other side.

Our services are free, if you want more information, please contact us:

2210 K Street Suite 201, Sacramento, CA 95816

Phone number (for text messages and calls): 916-538-0877

RIGHTS UNDER THE TENANT PROTECTION ACT OF 2019

Just Cause

No eviction without just cause.

Examples: owing rent, major lease violation, refusal to renew lease, criminal activity, landlord wants to live in unit himself. The owner must provide an opportunity to correct a violation, if possible.

Rent Control

Increases no more than 5-10% in a year.
Exact limit depends on cost of living change.

Currently: 9% in the Central Valley.

In California, Just Cause and Rent Control protect all tenants who have lived in the home for more than 1 year. except for tenants in the following types of homes:

- Recently built (15 years old or less)
- Single-family homes, where the owner is not a corporation
- Multi-family home which is always occupied by the owner (example: duplex)
- Single-family home which is owner-occupied home and has up to 2 rooms rented
- Hotel with all services included (cleaning, etc.)

If you live in housing that is excluded from the Act, you still have the right to receive the following types of written notifications:

To terminate a tenancy without cause (when allowed), 30 day notice (less than 1 year in the unit) or 60 day notice (more than 1 year)

Before a rent increase receive a 30-day notice, or 60 days if the increase is more than 10%

Do you owe rent from April 2020 to September 2021, and was your income affected by COVID? If you sign and return the Declaration of Financial Distress within 15 days of your landlord demanding the rent and, before October 1, 2021 you paid a minimum of 25% of the rent due between September 2020 and September 2021, you cannot be evicted.

PROTECT YOURSELF AGAINST COVID-19!

- ✓ Practice social distancing by keeping at least 6 feet apart.
- ✓ Wear masks and other face coverings. Wash your hands frequently.
- ✓ Avoid large groups.
- ✓ Outdoor activities are usually less risky for COVID-19.
- ✓ Employers must create a workplace safety plan that identifies 1) how the worker can be infected and 2) how to prevent the spread of the virus. Workers have the right to request and receive a copy of this plan.
- ✓ Get vaccinated. Vaccines against COVID-19 are completely free for everyone who is 12 years old or older. It doesn't matter your immigration status.

**** Disclaimer:** The information in this brochure does not constitute and is not intended to constitute legal advice. All information and content here is for general information purposes only. If you have a legal question, consult an attorney who can provide advice based on your own situation.