



HOUSING LAW - TOP TAKEAWAYS

1	Housing laws apply regardless of a tenant's immigration status.
2	Any dollar of unpaid rent can lead to an eviction. Never withhold rent for any reason without speaking with an attorney first.
3	A landlord cannot just lock you out of your unit - instead, they have to provide written notice that they might file an eviction, then file court papers to start the eviction process. The tenant gets to respond. Only <i>after</i> the landlord wins in court can the sheriff lock a tenant out.
4	If a landlord files for eviction (court paperwork), you should respond immediately - within 5 calendar days. Just because the landlord filed doesn't mean they will win - you may have protections, get more time, have to pay less, and keep it off your consumer record if you respond!
5	If you have issues with the conditions of your unit (heat doesn't work, mold in unit, etc.), take pictures and request repairs in writing, but do not repair the problem and deduct the cost from your rent without speaking to an attorney first.
6	It is illegal for landlords to discriminate against people based on "protected categories," such as race and age. A lesser-known protected category is paying rent with a voucher (called "source of income discrimination"). Survivors of domestic violence also have additional protections.
7	Most units in multi-unit buildings, built at least 15 years ago, have California rent control (5% annually plus inflation) and just cause protections, and may have additional local protections as well. This means your rent can only be raised the allowed amount, and you can't be evicted without just cause (for ex: nonpayment of rent, breach of contract, nuisance etc.).
8	It is always okay to ask a landlord for a "reasonable accommodation" based on a disability.
9	All tenants have a right to "quiet enjoyment" of their units, which means that landlords may only enter the unit with advance written notice, and only for a very limited number of specific reasons.
10	The best protection against having a landlord keep your security deposit is to take photos at move-in and move-out, as well as do a walk-through with your landlord.
11	Tenants have a right to organize in California and can form associations, file building-wide petitions, and work with neighbors to stand up for tenants' rights. More HERE .
12	Tenants should not sign anything without speaking to a housing counselor or housing attorney first, unless it is your recertification paperwork for public housing (note: if your unit is getting downsized or if you disagree with your household size, talk to an attorney).

Where to find help? Most free housing attorneys focus their work on the eviction process but there are many free housing counselors and others (rent boards, state and federal agencies) who are well equipped to help with issues outside of court. Find referrals here: <https://legallink.org/resources/#first>

Note: This Top Takeaways list does not cover all possible legal issues in housing, just the questions that Legal Link + the Justice & Diversity Center see most frequently. This is meant as information - not legal advice. Seek legal counsel on your specific situation to obtain advice.