



California Tenants -- Letter if you are a tenant who is being harassed, intimidated, threatened or retaliated against based on your actual or perceived citizenship or immigration status.

1. [Click here to open a Microsoft Word version of this sample letter](#), or go to page 3 of this printed packet.
2. The Microsoft Word-version will have blank spaces instead of the ALL CAPS you see below that are descriptions of what should go in each blank area. Fill out the blanks in the Microsoft Word-version using this as a guide.
3. Please note that you should tailor this letter to the facts in your case. This template is not a substitute for legal advice. If you need help finding a tenant attorney, please see the Tenants Together Directory at <http://www.tenantstogether.org/resource-directory>
4. Once filled out with your information, keep a copy for your records.
5. Send this letter by certified mail with return receipt requested.

Sent via Certified Mail- Return Receipt Requested

(DATE OF LETTER)

(NAME OF LANDLORD)

(ADDRESS OF LANDLORD)

Dear (NAME OF LANDLORD) ,

I (NAME OF TENANT) have been a tenant at (TENANT ADDRESS) since (DATE TENANCY BEGAN). I am writing because I have been subject to harassment, intimidation, and threats by you and your agents. I demand that you cease this unlawful conduct immediately.

I am writing to inform you that under Assembly Bill 291, effective January 1<sup>st</sup>, 2018, as well as other California law, a landlord is prohibited from engaging in any threats, harassment, or retaliation based on the perceived or actual immigration or citizenship status of a tenant or occupant.

The reason for my concern is: ( Describe each instance of harassment, intimidation, threats or retaliation and for retaliation include why you were retaliated against.

The law makes clear that it is illegal for a landlord to threaten to call immigration authorities for the purpose of forcing a tenant out of his or her home. More generally, it is unlawful for a landlord to use any threats or harassment that interfere with tenants' quiet enjoyment of their home and induces a reasonable fear of harm. Engaging in illegal harassment can expose you to civil liability of up to \$2,000 for each instance of harassment. California Civil Code § 1940.2(a)-(b).

*California Civil Code §1940.3(b)* states that a landlord cannot make any inquiry regarding the immigration or citizenship status of a tenant, or require any tenant to disclose his or her immigration or citizenship status. Furthermore, under this statute *it is unlawful for a landlord to disclose information to any entity or person* regarding the perceived immigration or citizenship status of any tenant for the purpose of intimidation, retaliation, or harassment.

Landlords are further prohibited from disclosing any information regarding tenants' immigration or citizenship status to any government officials in order to harass, intimidate, or retaliate against the tenants. A landlord who engages in such acts shall be ordered to pay mandatory statutory damages for each person whose status was disclosed in an amount between 6 and 12 times the monthly rent charged for the dwelling in which the tenant resides. *California Civil Code §1940.35*

Finally, California law makes clear that retaliation for exercising my rights as a tenant is prohibited. A landlord cannot report, or to threaten to report, a tenant to immigration authorities, increase rent, decrease housing services, terminate tenancy, attempt to recover possession, or threaten any of these, in retaliation for a tenant's exercise of his or her rights. California Civil Code §1942.5.

In fact, such acts are presumed to be retaliatory if they occur within 180 days of me exercising my rights to live in a safe and habitable home. A landlord who engages in retaliatory acts may be liable for actual damages, punitive damages of up to \$2,000 for each retaliatory act, and attorney's fees. California Civil Code §1942.5(h)-(i).

I demand that you refrain from any further actions that violate my rights as a tenant in California. If you fail to cease this illegal conduct, I will pursue all available legal remedies to enforce my rights. Thank you for your attention to this serious matter.

Sincerely,

(     SIGNATURE     )

(     NAME OF TENANT     )

Sent via Certified Mail- Return Receipt Requested

(\_\_\_\_\_)

(\_\_\_\_\_)

(\_\_\_\_\_)

Dear (\_\_\_\_\_),

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I am writing to inform you that under Assembly Bill 291, effective January 1<sup>st</sup>, 2018, as well as other California law, a landlord is prohibited from engaging in any threats, harassment, or retaliation based on the perceived or actual immigration or citizenship status of a tenant or occupant.

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