KNOW YOUR RIGHTS!

HOUSING CONDITIONS & REPAIRS

ALL tenants in California have the right to a safe and sanitary home, including repairs! Here's what you need to know:

What is a "habitable" home?

- A safe and sanitary place to live!
- Meets building code AND provides "bare living requirements"
- A place is NOT habitable if it has substantial problems with…

- damp/leaking ceiling/walls
- leaking plumbing/drainage
- holes in walls/floor/carpet
- presence of visible mold
- rats/roaches/insects
- falling plaster/peeling paint
- defective electrical wiring
- lack of/inadequate heat
- missing/broken windows
- lack of/inadequate hot water
- missing/broken smoke detectors
- inadequate trash collection
- unsafe stairs/railing
- inadequate security/locks
- stove and refrigerator

What should I do if my home is NOT habitable?

- If it is not habitable when you move in, the landlord must make all repairs as long as they are charging you rent.
- If it becomes not habitable after moving in, **ask your landlord to make repairs in WRITING** using this letter bit.ly/repairs-request and send it through certified mail. **Keep a copy** for yourself.
- **Take pictures** of all the problems and save them.
- **Call your local code enforcement agency** to inspect your home. The inspector will send your landlord a written report of sub-standard living conditions found in your unit. You must allow your landlord or their repair person access to the unit to fix existing problems. If the landlord fails to make repairs within 35 days of reporting, you can take the landlord to small claims court.

**NOTE: In some counties, code enforcement may be maintained through other agencies, such as law enforcement.*

More resources available at bit.ly/ttkyrresources
Look for local resources at 211ca.org

TENANTS TOGETHER

HOUSING CONDITIONS & REPAIRS

My landlord is refusing to do repairs. Now what?

- **Small claims lawsuit** - do the repairs yourself and take your landlord to small claims court for the costs
- **Repair and deduct** - you can repair certain conditions yourself and deduct the cost from your rent. The law requires specific *documentation*, so we recommend you seek legal aid in the case that you receive an eviction notice!
- **Rent withholding** (individually or collectively) - should be used as a last resort because **the landlord may try to evict you**! You should not withhold rent until you talk to a lawyer! This is most successful if you can get all tenants in the building to participate.

Can my landlord evict me if I ask for repairs? What if they get upset?

- If you assert your rights to habitable housing to the landlord, and a landlord threatens to evict you, increase your rent, or take negative action against you within 180 days of having done so, the landlord is presumed to be engaging in **retaliation**.
    - Retaliation is ALWAYS prohibited!
    - Respond to your landlord with this sample letter bit.ly/stop-retaliation
- If your landlord continues pressuring you to leave, learn more about your rights against eviction at bit.ly/tt-evictions-pdf. The only person that can remove you from your home is the sheriff!

Get organized!

- Tenants Together is aware that these protections are NOT enough! Talk to your neighbors about their protections!
- **You are not alone. We're stronger together!** Visit bit.ly/tenants-union to learn how to form a tenants' union.

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