

TENANT'S RIGHTS



November 2015

587 Old Mammoth Rd.

760-934-4740

RENTERS HAVE RIGHTS TOO

The relationship between landlord and renter is governed by federal, state, and local laws.

Renters have rights.

SOME OF YOUR RIGHTS

You have the right to:

- Fair Housing
(without discrimination)
- Habitable Conditions
- Privacy
- Renters also have obligations within their lease agreement
- Dispute

FAIR HOUSING

There are laws that protect your right to Fair Housing

■ FEDERAL

- Fair Housing Act of 1968 (Title VIII of the Civil Rights Act of 1968)
- 42 U.S. Code § 1982
- Authority: Federal Department of Housing & Urban Development (HUD); 415-436-8400, www.hud.gov/

■ STATE

- CA Fair Employment and Housing Act, Government Code § 12900
- Unruh Civil Rights Act, 1959 (CA Civil Code § 51)
- Authority: CA Departmento of Fair Employment & Housing (DFEH), 800-884-1684, www.dfeh.ca.gov

**UNDER CA LAW, IT IS ILLEGAL FOR A LANDLORD
TO DISCRIMINATE AGAINST A PERSON
ON THE BASIS OF:**

- Race
- Color
- Religion
- Sex (including pregnancy, or related medical conditions, gender or the perception of gender)
- Source of Income
- Sexual Orientation
- Marriage Status
- Nationality
- Immigration Status or Citizenship
- Ancestry
- Disability
- If you have children under 18 years of age

What should you do if you have been discriminated against?

- **Option 1: File a complaint with a lawyer**
- **Option 2: File a complaint with the CA Dept. of Fair Employment & Housing within 1 year**
 - Read about the complaint process:
http://www.dfeh.ca.gov/Complaints_ComplaintProcess.htm
 - Complaint Form:
http://www.dfeh.ca.gov/res/docs/PCI/PCI_Housing_fillable20150923.pdf

DEPARTMENT OF
FAIR
EMPLOYMENT &
HOUSING

File a
complaint:

800-884-1684

contact.center@dfeh.ca.gov

www.dfeh.ca.gov

HABITABILITY

"Habitable"

means that a home is suitable for occupation by human beings and substantially complies with state and local Building Codes, as well as with Health & Human Safety codes.

HABITABILITY

A landlord must maintain and complete repairs necessary to keep the home habitable, during the time that the home is rented.

EXCEPT FOR the repairs caused by the renter, their guests, children, or pets.

HABITABILITY

A landlords must provide a habitable home:

- Protection from the weather including a secure roof and exterior walls and windows and doors that are not broken
- Plumbing fixtures that are in good working order, including running hot and cold water, and connections to the sewer system
- Gas fixtures that work appropriately
- A heating system that is in good working order
- An electrical system, including lighting, cabeling and equipment, in good working order
- Building and spaces that are clean and sanitary
- The building and accessories (for example, the garage or garden) are free from debris, garbage, rodents, and vermin
- The trash receptables are adequate and function properly

HABITABILITY

- Floors, hallways, and stairs in good condition
- The toilet, sink, and bath/shower should be in good working condition. The toilet and bath/shower should be in a room with ventilation, and permit privacy
- A kitchen with a sink, that is not made of absorbent material (such as wood, for example)
- Natural lighting in all rooms, through windows or skylights. Unless there is an exhaust fan, windows should open at least halfway
- Emergency exits that open to a hallway or street
- Deadbolts that work on the primary entrance and windows
- Working smoke detectors in all units, and in multi-unit buildings, in the hallways as well.

HABITABILITY

As a renter you also have a responsibility to maintain the home:

- Keep the home clean and sanitary, as the situation permits
- Use the gas, electric, and plumbing facilities/appliances correctly
- Dispose of trash in a sanitary manner
- Do not destroy, damage, or disfigure the property or allow someone else to
- Do not remove any part of the building/structure or accessories or permit someone else to
- Use the unit as a place to live, and utilize all rooms for the purpose that they were intended
- Notify the landlord when someone does not work or needs repair

¿What should you do if your rental is uninhabitable?

- 1.** Call the landlord and write a letter describing the situation (send it certified mail, return receipt and keep a copy for your records)
- 2.** If the landlord does not complete the necessary repairs, there are multiple options:

TALK WITH
FREE
LEGAL
COUNSEL

Mono County
Superior Court
Self-Help
Center

760-258-7372

CA Legal Aid

800-736-3582

<http://lawhelpca.org>

- Make the repairs yourself and deduct the cost from your rent
- Abandon the home and your responsibilities outlined in the lease agreement
- Withhold rent
- File a complaint with a lawyer

*Read more about the **benefits and risks** associated with each option here: <http://mammothlakeshousing.com/wp-content/uploads/2015/02/landlord-tenant-rights.pdf>

TOWN OF
MAMMOTH
LAKES

Code
Compliance
Officer

SHERINE
SANDERS

760-934-8989
x 227

PRIVACY

The landlord can only enter the home:

- During an emergency
- If you have moved out or abandoned the home
- To complete repairs
- To show the home to possible buyers
- To complete the initial and final inspections, per your lease agreement
- If there is a court order permitting entrance
- If the renter has a water bed, to inspect the installation periodically

PRIVACY

A landlord must give tenants reasonable notice (at least 24 hours) in writing before entering the home, and must enter only during normal business hours (generally, M-F 8AM-5PM).

The notice must include the date, approximate time, and reason for entering.

What should you do if the landlord does not respect your right to privacy?

- 1.** Talk to the landlord about your concerns
- 2.** Mail the landlord a formal request to respect your right to privacy (mail certified, return receipt, and maintain a copy for your records)
- 3.** If the landlord continues to violate your right to privacy, you should talk to a lawyer, and file a complaint in court

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RESOURCES

- Mammoth Lakes Housing: www.MammothLakesHousing.org or (760) 934-4740
- CA Department of Fair Employment & Housing: www.dfeh.ca.gov or (800) 884-1684
- CA Department of Consumer Affairs: <http://www.dca.ca.gov> or (800) 952-5210
- Mono County Superior Court Self-Help Center: (760) 258-7372
- CA Legal Aid: <http://lawhelpca.org> or (800) 736-3582
- CA Tentants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities - <http://mammothlakeshousing.com/wp-content/uploads/2015/02/landlord-tenant-rights.pdf>