



## KNOW YOUR RIGHTS AS A CALIFORNIA TENANT

### YOUR RIGHT TO A SAFE AND WELL-MAINTAINED HOME

- **Your landlord must keep your home “habitable”—meaning, safe and fit to live in.** (See, for example, Civil Code, § [1941.1](#).) This is true regardless of the home’s condition when you moved in. For example, your landlord must provide:
  - Working plumbing, including hot and cold water and sewage disposal.
  - Safe and working electrical equipment and wiring, including lighting.
  - Heating.
  - Walls and roofs that keep out rain and wind.
  - Unbroken windows and doors, with working locks.
  - Working smoke detectors and carbon monoxide detectors.
  - Safe fire or emergency exits.
  - Adequate pest control for rodents (like rats) and insects (like roaches and bed bugs).
  - Adequate sanitation, including enough trash cans, and clean common areas.
  - Floors, stairways, and railings in good repair.
  - Repairs to prevent and fix health hazards, such as fire hazards, visible mold, or dampness.
- **You may be responsible for any damage you cause to the home.** Tenants must keep their homes sanitary, use appliances as intended, and avoid damaging the home. If you damage the home, your landlord may be able to charge you for repairs.
- **You have a right to ask your landlord to repair any unsafe or unhealthy conditions.** Request repairs in writing, such as by text message, email, or letter. Keep copies or take photos of all requests for repairs and all communications that you have with your landlord about these repairs. If possible, take videos or photos that show the unsafe or unhealthy conditions.
- **If your landlord refuses to make repairs, seek help right away.** Tell your local code enforcement office, local building department, or local health department about any unsafe or unhealthy conditions. The city or county should inspect your home and require your landlord to repair any violations that it finds. If you are not sure what agency to call, you can call 211 or 311 in some cities. You can also seek legal help. See below on how to get legal help.
- **Your landlord may not retaliate against you for seeking repairs.** You have a right to ask for repairs, to report health and safety issues to government agencies, and to seek legal help. Your landlord cannot retaliate against you for doing so. Your landlord also cannot threaten to disclose your immigration status to pressure you to move out, or harass or retaliate against you by disclosing your immigration status to law enforcement. (Civil Code, § [1942.5](#).)
- **You may be entitled to relocation assistance.** If the conditions are so bad that your immediate health or safety is in danger, the city or county may make you leave the property immediately. The city or county may also require your landlord to pay for you to relocate to a new home. If you receive a notice from the city or county requiring you to leave your home, ask the code enforcement office about these benefits immediately. (Health & Safety Code, § [17975](#).)
- **Withholding rent may put you at risk of eviction.** If your landlord refuses to make repairs, seek legal help before deciding whether to stop paying rent. Although you may be able to pay for the repair and deduct the cost from your rent, you must meet certain requirements before doing so or it may put you at risk of eviction. (Civil Code, §§ 1942, 1942.5) If you receive an eviction notice, it is very important for you to tell your lawyer or the court about any health and safety issues in your home. Provide them with photos or other proof of the problems, such as any documents you received from the city or county, and of your requests for repairs. (Civil Code, §§ 1942.3, 1942.4; Code of Civil Procedure, § [1174.2](#).)

**Get legal help as soon as possible if you believe your landlord has violated your tenant rights or if you’re facing eviction.**

If you cannot afford a lawyer, you may qualify for free or low-cost legal aid. To find a legal aid office near where you live, visit [LawHelpCA](#).<sup>1</sup> Then click on the tab in the middle of the page that says “Find Legal Help,” and enter your county. If you do not qualify for legal aid and need help finding a lawyer, visit the [California State Bar webpage](#)<sup>2</sup> to find a local certified lawyer referral service, or visit the [California Courts’ webpage](#)<sup>3</sup> for tenants facing evictions.

For more information and resources, visit [www.oag.ca.gov/housing](http://www.oag.ca.gov/housing).

1 [www.lawhelpca.org/issues/housing/landlord-and-tenant-issues](http://www.lawhelpca.org/issues/housing/landlord-and-tenant-issues)

2 [www.calbar.ca.gov/Public/Need-Legal-Help/Using-a-Certified-Lawyer-Referral-Service](http://www.calbar.ca.gov/Public/Need-Legal-Help/Using-a-Certified-Lawyer-Referral-Service)

3 [www.selfhelp.courts.ca.gov/eviction-tenant](http://www.selfhelp.courts.ca.gov/eviction-tenant)

