



Know Your Rights

Tenant Protections Under California Law

The Basics of AB 1482:

- The law provides an Annual Rent Cap and Just Cause Protections for many residential tenancies in California.
- Does not apply to all housing. See below for Excluded Housing.

How does AB 1482 work?

ANNUAL RENT CAP

- Annual rent increases are limited to 5% + change in CPI, or 10%, whichever is lower.
- CPI is calculated from April 1 of the prior year to April 1 of the current year

EXCLUDED HOUSING:

- Housing placed in service within the previous 15 years (rolling)
- Housing subject to more restrictive local rent control
- Duplexes - if the owner lives in the other unit
- Single-family homes and condos that are not owned by a real estate investment trust or corporation and where notice is provided to tenant that AB 1482 does not apply
- College dorms
- Mobile homes and RVs in mobile home parks that are owned by the occupant
- Deed-restricted affordable housing

JUST CAUSE

- Landlords/owners need a valid reason to evict.
- Protections apply after 12 months of tenancy, or 24 months, if a new tenant is added.
- If the valid reason is **No-Fault**, the **owner must pay relocation assistance** equal to one month of rent.

EXCLUDED HOUSING:

- Housing placed in service within the previous 15 years
- Most owner-occupied housing, including single-family residences (where the owner-occupant rents out no more than two units or bedrooms), a duplex where the owner occupies one of the units as their principal residence, and mobile homes and RVs in mobile home parks.
- Certain single-family homes and condos (depending on ownership) where proper notice is provided to tenant that AB 1482 does not apply
- Hotels, medical care facilities, and K-12 or college dorms
- Religious, elder care, and adult care facilities
- Deed-restricted affordable housing

The County of San Mateo has developed a webpage with information and resources for tenants. Please visit: smcgov.org/housing/tenants-protections-and-rights



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At-fault just causes for eviction

- Nonpayment of rent or breach of another material lease term (including unauthorized subletting)
- Refusal to execute similar new lease
- Nuisance
- Waste (damage to property that diminishes its market value)
- Criminal activity or using the unit for unlawful purpose
- Denying access by landlord after proper notice of lawful entry
- Failing to vacate a unit after termination as an employee if employment is a condition of occupancy
- Failing to leave a unit after providing owner written notice of intent to vacate

No-fault just causes for eviction

- Owner wants to take the unit off the rental market
- Owner or their close family member(s) want to move into the unit
- Owner intends to demolish or substantially repair the unit
- A court or government agency issues order to vacate the unit due to habitability issues

Other important information and resources:

Additional tenant rights provided by California law:

- **Safe & Habitable Units:** all rental housing must be habitable, which means it is fit to be occupied.
- **Right to Privacy:** every tenant has a right to privacy, and in most cases, a landlord must provide advance notice before entering a tenant unit.
- **Anti-Discrimination Protections:** Federal and California law forbid housing discrimination.
- **Anti-Retaliation Protections:** California law protects tenants from retaliation for certain actions by a tenant, such as making complaints about a housing unit's condition.
- **Anti-Harassment Protections:** California law also protects tenants from harassment, such as cutting off utility services or improperly removing outside doors/windows.
- **Language Access Rights:** lease and other documents making substantial changes to rights of parties must be translated into certain languages (Spanish, Chinese, Tagalog, Vietnamese, or Korean) if lease is negotiated in one of those languages.

For detailed information about tenant rights, please visit our website.

GET FREE CONSULTATION!

- Call Legal Aid Society of San Mateo County at: **650-517-8911**
- Monday to Friday, 9am to 5pm



Attend a clinic: <https://www.legalaid.smc/org>

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