
Housing & Immigration: Protecting Tenants' Rights in Los Angeles

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Bet Tzedek Overview

- Non-profit civil legal services agency
- Founded in 1974
- Free legal services, Education and Outreach, Policy Advocacy, and Impact Litigation for:
 - Seniors & Dependent Adults
 - Holocaust survivors
 - Workers, Taxpayers & Small Business Owners
 - Tenants, Homeowners and Unhoused Individuals
 - Children & Families
 - Transgender Individuals
- 110+ staff, 50+ attorneys





WHAT WE DO

Preventing & Ending
Homelessness Project

Preventing & Ending Homelessness Project

- Purpose of the program is to remove legal barriers to safe and stable housing
- We assist unhoused or imminently at-risk individuals
 - Addressing any housing conditions that would result in self-evictions or being pushed out of unit both legally and illegally



Legal Issues PEHP Assists With

- Housing Specific Issues like:
 - Evictions;
 - Housing Rights, such as illegal housing application denials, illegal rent increases, and habitability;
 - Harassment and Discrimination;
 - Reasonable Accommodation Requests;
 - Preservation or reinstatement of Section 8 vouchers;
- Public Benefits denials, such as SSI/IHSS appeals;
- Eviction Record sealing and criminal expungements



California Tenant Protections

Basic CA Tenants Rights

Every California tenant who pays rent has the following rights under State law:

- Right to live in a safe and habitable home.
- Right to written notice of entry, rent increases, and a permitted reason for eviction.
- Formal legal process prior to eviction.
- Right to exclusive use and enjoyment of the space you rent.
- Freedom from harassment, discrimination, and retaliation.



#1: Right to Live in a Safe and Habitable Home



Common Habit. Issues

- Mold
- Leaks
- Broken Heaters
- Pests Infestation
- Broken Windows or Door
- Electrical Issues
- Utility Shut off or No Hot Water
- Hazardous Materials like Asbestos



Barriers for Immigrant Tenants

- Fear of Landlord Retaliation or ICE Threats
- Language Barriers in Communicating Repair Requests
- Lack of Awareness of Local Laws Enforcing Habitable Units
- Hesitation to call Housing Dept. or not letting Inspectors in



Legal Protections

- All Tenants (regardless of status) have the right to a habitable home
- Landlords **MUST** make repairs and maintain living conditions
- Landlords Retaliating Against Tenants Reporting Living Conditions is **Illegal**

#2: Right to A Written Notice of...



Entry

- Landlords MUST provide tenants with a 24 hour to enter units
- City Inspectors provide a notice to inform of an inspection
 - Usually, notices get sent a few weeks before scheduled inspection



Rent Increases

- There are protections in place to limit rent increases
- Different Cities in Los Angeles have different rent protections
- Landlords MUST provide at least a 30 day notice to increase rent

*** Refer tenant to Bet Tzedek for case specific questions**

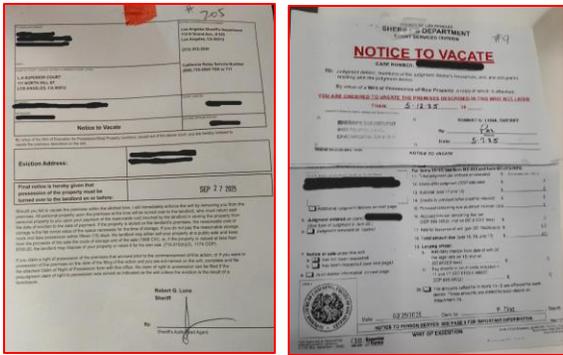


Legal Reason
for Eviction

Landlords MUST have a valid reason to evict a tenant

- At-Fault Evictions: Landlord claims tenant did something wrong
- No-Fault Evictions: Tenant did nothing wrong, but Landlord wants unit back

#3: Formal Legal Process for an Eviction

<p style="text-align: center;">1</p> <p style="text-align: center;">Pre-Eviction Notice</p>	<p>Landlord must provide tenant with a notice (3-day notice, 15 day notice, etc.)</p> <p>Examples Include:</p> <ul style="list-style-type: none"> ➤ Notice to Pay Rent or Move Out: if tenant did not pay rent ➤ Notice to Cure or Quit: if tenant breached the lease or nuisance-based ➤ Notice to Quit (No-Fault Eviction) 	
<p style="text-align: center;">2</p> <p style="text-align: center;">Summons & Complaint</p>	<p>After the time on the pre- eviction notice expires, Landlords are able to file an eviction through the court. Tenant will be served with Summons and Complaint</p> <p>Tenant must respond to the court documents within 10 business days (file an answer), or the court will decide against the tenant (default)</p>	
<p style="text-align: center;">3</p> <p style="text-align: center;">Sheriff's Notice to Vacate</p>	<p>After the answer has been filed, court dates will be scheduled. Tenants MUST appear at hearings</p> <p>The case can reach a settlement, go to trial, or get dismissed.</p> <p>If tenant <u>loses at trial</u> or <u>does NOT file an answer</u>, Landlord may request a Writ of Possession where the Sheriff will post a Final Notice on tenants' unit</p> <p style="text-align: right;">* If this occurs, tenant will have little to no time to gather belongings</p>	

#4: Right to Exclusive Use and Enjoyment



What does this mean?

Tenants have the right to enjoy their leased unit and included amenities without interference from the landlord or other parties.

This means that:

1. Landlords cannot enter unit or interfere without proper reason or notice
2. Tenants are entitled to live without harassment, intimidation, or disruption



Legal Protections

Landlords can enter the rental unit for the following reasons:

- To respond to an emergency that threatens life or property
- To make repairs or alterations that are necessary or that you have agreed to
- To show the place to potential buyers, tenants, or repair workers
- If you have given permission to enter
- If you have abandoned the premises, or your landlord has obtained a court order



Examples of Violations

Landlords **CANNOT**:

- Enter the unit without notice (unless of an emergency)
- Conduct “repeated inspections” or photograph tenant’s belongings
- Remove tenant’s belonging or lock out tenant from unit
- Harass tenants or do anything to make them feel unsafe



#5: Freedom from harassment, discrimination, and retaliation

Tenant Anti-Harassment Ordinance

The **Tenant Anti-Harassment Ordinance (TAHO) #187109**, effective August 6, 2021, prohibits landlords in all residential properties from harassing tenants by removing housing services, withholding repairs, or refusing to accept rent payments.

What is tenant harassment?

Tenant harassment is a landlord's bad faith conduct directed at a specific tenant or tenants that causes the latter detriment or harm. "Bad faith" refers to willful, reckless, or grossly negligent conduct.



Tenant Anti-Harassment Ordinance

Landlords are prohibited from the following acts including other conduct not mentioned:

- Threatening to report a tenant to ICE or other federal agencies
- Intimidation or verbal abuse referencing immigration status
- Not making repairs or withholding services to force a tenant to move out
- Entering the unit without proper notice
- Asking tenant for documents to prove legal status

AB 291: Protecting Immigrant Tenants

This bill protects tenants from deportation threats. California renters should not have to fear intimidation and retaliation in their homes. This bill:

- Prohibits landlords from threatening to report tenants to immigration authorities
- Codifies an existing defense to unlawful evictions based on immigration status
- Prohibits questions about tenants' immigration status in discovery or at trial
- Prohibits attorneys from reporting, or threatening to report, the immigration status of persons involved in housing cases
- Provides tenants the right to sue landlords who report them to immigration authorities
- Bars landlords from disclosing information related to tenants' immigration status

Steps Tenants can Take

If tenants believe they are being harassed or discriminated against, they should:

- ✓ **Keep Records:** Save messages, photos, repair requests, notices, witnesses. Log as many details as possible. Include time and date
- ✓ **NOT** leave their unit
- ✓ **Seek Legal Help**
 - **Contact Bet Tzedek**
- ✓ Report it to the LA Housing Department and CA Civil Rights Department



Thank you!

Have case specific questions or want to refer a tenant?

Email Us!



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