



Tenants' Rights And Resources For Safe And Habitable Homes In San Francisco

I. Fact:

A good and safe living place can provide a nurturing environment to raise children and contribute to a healthy life for the people who live there. Tenants have the responsibilities to keep their residence clean, but they also have the right to live in safe and habitable homes that meet the requirements of the Housing and Health Codes in exchange for the rent that they pay. When the landlord is not fulfilling the requirements of the Health Code or the Housing Code after the tenants have made effort to request the landlord to do so, the tenants must file a complaint with the Department of Building Inspection (DBI) or the Department of Public Health (DPH) without fear of retaliation from the landlord if they want the situation to improve.

II. Laws:

The California Civil Code, as well as the San Francisco Health Code and Housing Code define landlords' obligations to make and keep rental homes in habitable condition. Inspectors of the DPH and DBI are responsible for enforcing the respective Health and Housing Codes. All residential landlords, whether they are private property owners or owners of public housing, are subject to follow the codes.

III. Property owners are required to provide:

- Building free of lead hazard and mold.
- Safe source of heating systems capable of maintaining temperature of at least 68°F at a point midway between the heat source and farthest wall and at 3 feet above the floor of living, sleeping, cooking and eating areas each day between 5 AM and 11 AM and 3 PM to 10 PM.
- Effective weatherproofing of windows, exterior walls, and roofs.
- Housing free of garbage, waste, rats, vermin, and bedbugs.
- Plumbing and gas facilities in good order.
- Hot and cold running water.
- Adequate electrical plugs and phone jacks.
- Well-maintained stairs, floors, and common areas.

IV. Repair Issues :

1. Contact landlord or the City's Code Enforcement Programs:

If your home needs repairs, consider the following steps:

STEP 1 Notify your landlord or building manager in writing.

If you get no response to your initial letter, or the repair work is not completed within the agreed upon date with no explanation, write a second letter and state that it is a last attempt or contact the Code Enforcement Outreach Program for assistance before filing a complaint with the City.

STEP 2

STEP 3

If you still do not get a response or receive an acceptable explanation, file your complaint with the Code Enforcement Program of either DBI or DPH.

2. Decrease in service petition: If you have suffered a reduction in housing services, the Rent Board can grant a rent reduction retroactively for the amount of time you were without the service, and prospectively, if the service has not yet been restored.

3. Failure to repair petition: When your landlord fails to make necessary requested repair(s) at the time of an annual rent increase, you can file a petition at the Rent Board to defer the rent increase until the repairs are made. This petition must be filed within 60 days of receipt of the notice of rent increase.

V. Harassment

Your landlord cannot harass you verbally or physically. If you receive any form of harassment, you should do the following things:

- Keep a record of each harassment incident and write down the name(s) of any witnesses.
- Write a complain letter to your landlord describing the incident and request the harassment to be stopped immediately.
- Seek legal advice from a lawyer or an organization that offers legal assistance if you think it is necessary.

VI. Unlawful eviction, retaliation, and penalties :

- In most cases, your landlord needs a "Just cause" reason to evict you.
- If your landlord uses unlawful ways to evict you or retaliates against you because you assert your rights for a safe and habitable home, your landlord may be subject to liability for any actual damages caused to you, including mental or emotional distress. Retaliation can include unlawful rent increases, attempts to unlawfully evict tenants, and reductions in services.
- If your landlord seeks to recover or actually recovers possession of a rental unit and is found in violation of the Rent Ordinance, your landlord could be found guilty of a misdemeanor; you or the Rent Board may bring a civil action suit seeking for an injunction, damages, and attorney fees.
- If your landlord is found guilty of a misdemeanor, he or she may be punished by a fine or/and by imprisonment. In the case of an actual or attempted wrongful eviction, you may also file a civil suit for money damages.

VII. Code enforcement - whom to call:

Department of Public Health (DPH):

1390 Market Street, Suite 210, San Francisco, CA 94102

- **Children's Environmental Health Promotion:** Identifies and orders of correction of lead hazards. ☎: 415-554-8930 Website: www.sfdph.org/cehp
- **Environmental Health Code Enforcement Program:** Investigates complaints of public health hazards, other Health Code violations, and neglected private properties. ☎: (415) 252-3805 Website: www.sfdph.org/eh/hn/index_PubServices.htm
- **Residential Hotels Program:** Investigates complaints of unsanitary conditions in SRO housing. ☎: (415) 252-3866 Website: www.sfdph.org/eh/hn/index_ResHotels.htm

Department of Building Inspection (DBI):

1660 Mission Street, San Francisco, CA 94102

- **Housing Inspection Services (HIS):** Enforces the San Francisco Housing Code and pertinent related City Codes. HIS establishes and maintains minimum maintenance standards for existing residential buildings to safeguard life, limb, health, property, and public welfare by conducting periodic health and safety inspection and responding to tenant complaints. ☎ (415) 558-6220 Website: www.sfgov.org/dbi

VIII. DBI's funded Code Enforcement Outreach Program:

Assists in improving cooperation & communication between tenants & landlords; helps fill out Rent Board petition forms. The Program consists of:

- **Chinatown Community Development Center:** 1525 Grant Avenue., San Francisco, CA, 94133 ☎: (415) 984-1450 Website: www.chinatowncdc.org
- **Housing Rights Committee:** 427 South Van Ness Avenue, San Francisco, CA 94103 ☎: (415) 703-8644 Website: www.HRCFSF.org
- **San Francisco Apartment Association:** 265 Ivy Street, San Francisco, CA 94102 ☎: (415) 255-2288 Website: www.SFAA.org
- **St. Peter's Housing Committee:** 474 Valencia Street, Suite 156, San Francisco, CA 94103 ☎: (415) 487-9203
- **Tenderloin Housing Clinic:** 126 Hyde Street, San Francisco, CA 94102 ☎: (415) 771-9850 Website: thclinic.org

IX. SRO Families United Outreach Teams: Assists in disseminating information, contacts:

- **Chinatown:** ☎: (415) 984-1468 or (415) 391-6986
- **Mission:** ☎: (415) 487-9203
- **South of Market:** ☎: (415) 436-9707
- **Tenderloin:** ☎: (415) 861-7419

X. Rent Ordinance:

Rent Board: Implements the Rent Ordinance, and conducts investigations of alleged wrongful eviction attempts.

25 Van Ness Avenue, Suite 320, San Francisco, CA 94102

☎: (415) 252-4602 (for counseling) Website: www.sfgov.org/rentboard