

Additional Resources

Nolo Press (www.nolo.com) publishes two handbooks available in libraries and bookstores:

- Tenants Rights and Responsibilities
- The Landlord's Law Book

The following agencies also provide information and assistance:

Tenants Rights and Responsibilities

- Legal Aid Society of San Mateo County (650) 558-0915 or (800) 381-8898 www.legalaidsmc.org

- La Raza Centro Legal (415) 575-3500 www.lrcl.org

- Community Legal Services of East Palo Alto (CLSEPA) (650) 326-6440 www.clsepa.org

- Stanford Community Law Clinic (650) 725-9200

Landlord Rights/Responsibilities

- California Apartment Association Tri-County (San Mateo, Santa Clara, Santa Cruz) (408) 342-3500 www.tcaa.org

Conflict Resolution

- Peninsula Conflict Resolution Center (650) 513-0330 www.pcrweb.org

Housing Discrimination

- Project Sentinel (650) 321-6291 or (888) FAIR-HOUSING www.housing.org

Housing Assistance

- HIP Housing (650) 348-6660 www.hiphousing.org

- Housing Authority of the County of San Mateo (HACSM) (650) 802-3300 www.smchousing.org

CORE SERVICE CENTERS

If you are in need of emergency assistance, contact your local core service center.

Daly City, Broadmoor, Colma:
Samaritan House: 650-991-8007

Pacifica, North Coast:
Pacifica Resource Center: 650-738-7470

South San Francisco, San Bruno, Brisbane:
North Peninsula: 650-583-3373

Half Moon Bay, El Granada, Montara
Coastside Hope: 650-726-9071

Belmont, Burlingame, Foster City, Millbrae,
San Carlos, San Mateo/Hillsborough
Samaritan House: 650-347-3648

Pescadero, La Honda, San Gregorio
Puente de la Sur: 650-879-1691

Atherton, Redwood City, Woodside
Fair Oaks Community: 650-780-7500

East Palo Alto, Menlo Park
El Concilio: 650-330-7432

Department of Housing
County of San Mateo
Housing & Community Development
Housing Authority
264 Harbor Blvd. Bldg. A
Belmont, CA 94002

How to Handle a Rental Dispute



This pamphlet provides basic information about:

- Tenant Rights & Responsibilities
- Landlord Rights & Responsibilities
- Communication Strategies
- Resources for Tenants & Landlords

Department of Housing
www.smchousing.org

Types of Concerns

Problems can arise in any rental situation. These concerns may involve one or more of the following issues:

- **Habitability:** the basic livability of the place
 - Who must do maintenance and repairs?
 - What if there are pests?
 - What if there are health issues?
- **Privacy:** your right to be left alone
 - Can a landlord enter at any time?
 - How much notice must a landlord give?
 - Must the notice be in writing?
- **Rent Increases**
 - How much can rent be raised?
 - How much notice is required?
 - Does it have to be in writing?
- **Security Deposits**
 - How does a tenant get it back?
 - How much can be kept?
 - Must interest be paid?
- **Termination of Tenancy and Eviction**
 - When can a landlord force a tenant to leave?
 - How much notice is required?
 - Does it have to be in writing?
 - How should a tenant respond if a landlord tries to force him/her out?

It is important to know the rights and duties of both the landlords and tenants, as well as how to resolve problems in ways that are acceptable to all.



PROBLEM SOLVING

Approaches to negotiating a mutually acceptable resolution.

1. Once you are aware of an issue, don't put off dealing with it.

- If you find you are angry and upset with the other person, cool down before interacting. This simple step will help you think more clearly about how to resolve the situation. It will also make the other person more likely to work with you to solve the problem.

2. Next think about how to resolve the situation from your point of view.

- Stick to your current issue and avoid bringing up past problems. When you approach the other person, ask if they have time to talk to you. If the other person seems busy or distracted, make a specific appointment.
- Be brief in describing your concerns and then listen carefully to what the other person has to say. By listening, you can often learn how to solve the problem.

3. After you have both had a chance to talk about your concerns, suggest that you work together to resolve the situation.

- You are more likely to be successful in this effort if you are respectful and direct with the other person.
- Track the steps you have taken to resolve the problem. Keep a file with dates and records of communications, as well as other important papers such as your rental agreement or lease, copies of notices and letters, dates and notes about phone calls.

MEDIATION IS A GOOD NEXT STEP

If you try to talk to your landlord or tenant and can't make progress, you might contact your local community mediation program for help. Mediators are neutral third parties. They don't take sides, but they can help you communicate and solve problems.

The Peninsula Conflict Resolution Center (PCRC), a non-profit organization, offers free or low cost mediation services in San Mateo County. Their telephone number is 650-513-0330 and their website is www.pcrweb.org

KNOW YOUR RIGHTS AND RESPONSIBILITIES

There are laws to protect both tenants and landlords. It is very important that you do not let key deadlines slip by as you try to work out a problem. The following is a brief summary of these key deadlines:

- If the tenant receives a 3-day notice to pay rent or quit (leave the place), and the tenant does not pay the demanded rent or move out within the 3 days, the landlord can file an eviction case in court to force the tenant to move ("summons and complaint for unlawful detainer").
- The landlord might also file an eviction case if the tenant receives a 30-day notice terminating his or her tenancy and does not move out within the 30 days.
- If a tenant receives a summons and complaint for unlawful detainer and does not file a written answer with the court within 5 days of receiving it (including weekend days), the tenant could lose the eviction case without having the chance to tell his or her story or to resolve the problem.

RESOURCES

The preceding information does not cover all your legal rights and possible legal deadlines. A comprehensive handbook is available from the State at this link:

www.dca.ca.gov/legal/landlordbook