



**Project
Sentinel**

**Fremont Fair Housing and
Landlord/Tenant Services
administered by Project Sentinel
Family Resource Center
39155 Liberty Street, Suite D440
Call 510 574-2270
Email: Fremont@housing.org**



WE PROVIDE INFORMATION TO LANDLORDS & TENANTS

OUR SERVICES ARE: FREE, CONFIDENTIAL, & NEUTRAL

*** LEASE BREAK; TERMINATION & EVICTION; DEPOSITS**

*** NON-PAYMENT; RENT INCREASES; REPAIRS**

*** LANDLORD ENTRY; NOISE /SMOKING COMPLAINTS**

Landlord-Tenant Services



- Provide general information on your rights and responsibilities as a landlord, based on state and local regulations
- Do NOT provide specific legal advice, opinions, or representation
- Provide information & referral to help you understand and resolve your own issues
- Counseling by phone, email, and in person

Landlord-Tenant Services



Resource Materials Provided- a few examples:

Landlord-Tenant Resources

In Fremont, landlord-tenant issues are governed by state law and additionally, rent increases and smoking (see below) are regulated by city ordinance. Here are two sources of information:

- 1) California Department of Consumer Affairs: [California-Tenants-Guide.pdf](#)
- 2) *The California Landlord's Law Book: Rights & Responsibilities*, published by Nolo Press, available at any library:
<https://alam1.aclibrary.org/search~S30?/tcalifornia+landlord%27s+law+book/tcalifornia+landlords+law+book/1%2C2%2C4%2CB/frameset&FF=tcalifornia+landlords+law+book+rights+and+responsibilities&2%2C%2C2>

Rental agreements and other forms

These forms are provided by the California Apartment Association for a fee:
<https://caanet.force.com/CFProductCatalogs?&cat=publication&subcat=Forms>

These forms are included with the Nolo Press book at no additional cost:
http://www.nolo.com/products/the-california-landlords-law-book-lbrt.html?utm_campaign=nolo-upsell-block&utm_source=nolo-store&utm_content=pr400%20-%20noe3&utm_medium=thumbnail

Landlord-Tenant Services



Resource Materials (continued):

Termination of tenancy

Here is a link to a the California Department of Consumer Affairs publication: [California-Tenants-Guide.pdf](#)

For termination of tenancy, see page 49 "Moving Out."

Also, see the attached flyer on terminations and a sample 30-day notice form.

WHAT IS PROPER SERVICE OF THE 30 or 60 DAY NOTICE BY A LANDLORD?

A landlord may properly serve a 30-day or 60 day termination of tenancy notice by one of four methods: personally serving a written notice to the tenant; posting a notice in a conspicuous place at the rental unit and sending a copy of the notice by 1st class mail to the tenant; substituting service to someone of "suitable age and discretion" at the rental unit or at the tenant's place of employment and sending a copy of the notice by 1st class mail to the tenant. The posting and mailing method, and the substitute service method, may only be used if the landlord is unable to personally serve the notice to the tenant at the rental unit or the tenant's place of employment. A landlord may also send a notice to a tenant by certified mail or registered mail with a return receipt requested. If a termination of tenancy notice is sent by certified mail, all parties to the rental agreement must sign acknowledgment of receipt.

Evictions; single-lodger rule

Here is a link to the California Department of Consumer Affairs publication: [California-Tenants-Guide.pdf](#)

See "Terminations and evictions" beginning on page 67. For information on the *single-lodger rule* (an alternative to the normal eviction process), see page 4 "Single lodger in a private residence." Below are copies of Civil Code Section 1946.5 and Penal Code Sections 602.3. and 837. Here is a link to all the California

codes: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>

Landlord-Tenant Services



Resource Materials (continued)

Formal Evictions

If you decide to use the formal eviction process (unlawful detainer), it can be helpful to use the Nolo Press book, which is available at any library:

<http://alam1.aclibrary.org/search~S30?/tcalifornia+landlord%27s+law+book/tcalifornia+landlords+law+book/1%2C2%2C6%2CB/frameset&FF=tcalifornia+landlords+law+book+evictions&1%2C%2C2>

See Chapter 1 for additional information on the "single lodger rule." (see attachment)

Here is a link to court forms- scroll down to "unlawful detainer (landlord/tenant)":

<http://www.courtinfo.ca.gov/cgi-bin/forms.cgi>

Please let me know if you have any further questions.

Mark Thomasee
Fremont Landlord-Tenant Services
39155 Liberty Street, Suite D440
Fremont, CA 94538
(510) 574-2270
Fremont@housing.org

Note: Project Sentinel offers neutral counseling and dispute resolution services, but not legal advice or representation. For legal services, please contact an attorney or a lawyer referral service (510) 302-2222.

Landlord-Tenant Services



Background Checks of Potential Tenants

- Extremely important to avoid problems later
- Nearly every landlord with a serious problem or “horror story” did not check tenant’s background
- Avoid relying on “gut instinct”
- Failure to check can result in months of lost income, property damage, or criminal fraud

<http://www.ktvu.com/news/brothers-accused-of-rental-scheme-involving-high-end-properties>

<https://www.kron4.com/news/2-fremont-brothers-arrested-in-housing-fraud-scheme/1012979241>

Landlord-Tenant Services



Background Check Steps

1. Call previous landlords and references
2. Obtain credit report (not one offered by applicant)
3. Verify income
4. Verify bank account information
5. Review court records
6. Do not hand over keys until rent/deposit checks have cleared

Any Questions?



- Call Fremont Landlord-Tenant Services at 510-574-2270 or email: Fremont@housing.org

9.60.100 Landlord retaliation prohibited



- No adverse action (termination/eviction, service reduction, etc “because of the tenant’s use of any remedy” provided by RRO
- Adverse actions against a tenant within 180 days of a tenant using RRO are presumed retaliatory (after 180 days, tenant has burden of proof)
- **Remedies:** Retaliatory conduct is void and can be used as a defense in eviction action, rent increase is void (must wait 6 months), civil penalty up to \$2,000

9.60.100 Landlord retaliation prohibited



RRO retaliation example:

- Tenant opened case to dispute increase that violated 12-month rule, Landlord terminated tenancy

Other prohibited retaliation (Civil Code 1942.5)

- Habitability complaints, bed bugs
- Reporting tenants to immigration authorities
- Tenant exercises any legal rights