

SF ANTI-DISPLACEMENT COALITION KNOW YOUR RIGHTS GUIDE

HARASSMENT

IF YOU ARE EXPERIENCING HARASSMENT. TALK TO A TENANT COUNSELOR

- Your landlord can't verbally or physically harass or threaten you, or call the police to try to force you to leave.
- Your landlord cannot refuse to accept/acknowledge receipt of your lawful rent payment or refuse to cash a rent check for over 30 days.
- Your landlord cannot discriminate against you because of your race, ethnicity, gender, sexual orientation, place of birth, immigration or citizenship status, religion, age, parenthood, marriage, pregnancy, disability, AIDS or because you have a kid.
- Threats about your immigration status are harassment and are illegal under the rent ordinance.

Visit www.SFADC.org for a list of tenants rights groups in San Francisco.

ALWAYS REMEMBER TO KEEP A WRITTEN RECORD!

A written record can help you document harassment and protect yourself against claims from your landlord.

- Save copies of letters you send to your landlord.
- Save receipts.
- Keep a log of what the landlord said or did to you, noting the place and date that each incident took place. In the case of harassment, note any witnesses.

If the harassment persists, write a letter to the landlord spelling out the offensive behavior. Include dates and times. If the harassment continues, you might consider a decrease in services petition at the Rent Board (if you're under rent control), a Small Claims Court action or consulting with an attorney about some other kind of legal action.

You have the right to file for a Restraining Order in Superior Court restricting when your landlord may contact you. Forms are available at the Superior Court Clerk at the Superior Courthouse, corner of Polk and McAllister Streets.

LANDLORD ENTRY

Your landlord must give you 24 hours' notice in writing to enter your unit, and they can only come in to:

- Make necessary or agreed-upon repairs or services.
- Show the unit to prospective tenants, buyers, mortgage holders, repair persons, or contractors.
- Inspect the unit at the request of the tenant for a security deposit refund.
- When there is a court order authorizing entry by the landlord.

If a landlord illegally enters your home, you should write a letter demanding 24 hours' notice for future entries, and stating that you want the illegal entries to stop. You can also demand that the landlord only schedule times to enter during normal business hours (Monday through Friday, 8am – 5pm). Realtors may enter on weekends to show the unit on a limited basis.

UTILITY SHUT OFFS

Your landlord may not shut off any of your utilities for purpose of evicting or harassing you. If your utilities have been turned off, call the utility company and try to have them turned back on. If that doesn't work, try the Public Utilities Commission at 415-703-1170. If it's a water turnoff, call 415-551-4767 to get the bill put in your name.

- Keep a list of all incidents, the dates, and the length of time that your service was turned off.
- Inform your landlord in writing that you know your rights and that the utility cutoff is illegal. Keep a copy of the letter for your records.
- If your landlord is not paying the utility bills, you can get them turned back on in your name.
- Go to the SF Rent Board and file a 'decrease of services petition' (25 Van Ness Ave.) for a potential rent reduction.

LOCKOUTS

Your landlord cannot lock you out of your home. If you have been locked out:

- Under Penal Code 418, your landlord is guilty of a misdemeanor and could be arrested.
- You have a right to regain entry to the premises even if you must break in to your home. Keep proof of your tenancy with you at all times.
- Keep a record of these incidents.
- Write a letter to your landlord stating that you are aware of your rights and that you want the situation stopped without further harassment. Keep a copy.