



# TENANTS TOGETHER

California's Statewide Organization for Renters' Rights

Winter 2010-2011

## New Governor!

### What Does Jerry Brown's Victory Mean for Tenants?

During Arnold Schwarzenegger's reign as Governor, tenants took a beating. Schwarzenegger abolished the renters' rebate, a modest annual rebate for low-income senior and disabled tenants. He vetoed legislation to require banks to return security deposits to tenants after foreclosure. He gutted funding for services used by low-income Californians who are disproportionately renters. Overall, tenants knew that Governor Schwarzenegger was not their friend, and that any ambitious bills to protect California's 14 million renters were likely to be dead on arrival at the governor's office.

So what can we expect from Governor Brown on issues facing renters?

#### Track Record

Brown has a mixed record on tenants' rights issues. In 1976, Governor Brown vetoed AB 3788, a bill that would have preempted local rent control laws in California. It was unclear whether Brown did so because he supported rent control, or because he believed cities should be able to make up their own minds on the issue. Regardless, his veto protected local rent control laws across California.

As mayor of Oakland, Brown opposed efforts to strengthen tenants' rights. In 2002, he opposed Measure EE, a city ballot measure to require landlords to have "just cause" to evict a tenant. In 2006, Brown vetoed an inclusionary housing ordinance for Oakland that would have required developers to build

some below market rate units as part of new construction projects.

In 2008, Attorney General Brown was tasked with writing the ballot title for Proposition 98, a landlord-backed "eminent domain" reform measure that was really about abolishing rent control in California. Unfortunately, Brown's office refused to refer to "rent control" in the title of the ballot measure, even after being urged to do so by tenant groups.

In 2010, at the request of Tenants Together and other tenant organizations, Attorney General Brown's office launched an important investigation of banks, servicers, and eviction lawyers for violating tenant rights after foreclosure. Brown's office acted quickly after learning of complaints from tenant advocates.

#### Predictions

Brown seems to believe that municipalities should be able to decide issues like rent control and eviction protections for themselves. We expect that he will reject efforts by realtors and landlords to preempt local tenant protection laws. In addition, Brown, as former Attorney General, is likely to take a leadership role in making sure violators of the law are held accountable.

We are encouraged by Brown's interest in exposing violations of tenants' rights after foreclosure. But we hope that Brown will more proactively address the epidemic of evictions arising from foreclosures. A moratorium on post-foreclosure evictions is



Governor Edmund G. Brown, Jr.

long overdue. At minimum, tenants who are victimized by post-foreclosure abuses must have a clear right to sue for damages.

We are confident that Governor Brown will not have a knee-jerk opposition to measures that benefit tenants. At the same time, we are concerned that Brown has received significant support from real estate interests that routinely oppose tenants. We are also discouraged by his opposition to expanding tenants' rights against unfair evictions while he was mayor of Oakland.

Our challenge is to educate Governor Brown on the issues affecting tenants and mobilize to make sure that he does what is right for tenants in California. We sincerely hope that he will take action to address the long-neglected needs of California's 14 million renters.

## Tenants Together Launches Tenant Action Groups



Tenants across the state are standing up for their rights by forming local Tenant Action Groups to build tenant power. With the help of Tenants Together, TAG members work together on campaigns to strengthen renters' rights and create a strong and unified voice for the community.

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[www.tenantstogether.org](http://www.tenantstogether.org)

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# WHAT IS TENANTS TOGETHER?



California tenants face enormous challenges. Rents across the state continue to be among the highest in the nation, while household incomes are falling. Most tenants around the state have no meaningful protection from high rents, unfair evictions, and abusive landlords.

As California's **only statewide renters' rights organization**, Tenants Together works to protect and advance the rights of tenants to safe, decent, and affordable housing. TT works to empower tenants and allies to unite in a statewide movement for renters' rights.

**California tenants. 14 million strong.**

# BOARD AND STAFF

**Steve Collier** - Tenderloin Housing Clinic\*  
*President*

**Leah Simon-Weisberg** - Community Legal Services in East Palo Alto\*  
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**Larry Gross** - Coalition for Economic Survival\*  
*Director*

**Dean Preston** Executive Director  
**Gabe Treves** Program Coordinator  
**Giti Dadlani** Organizer  
**judy b.** Administrative Assistant

\*For identification purposes only

# SPECIAL THANKS

On behalf of all our members, Tenants Together would like to thank our team of volunteers who counsel tenants through our foreclosure hotline and help to prepare newsletters for delivery.

Elizabeth Aakhus  
Alison Brennan  
Beth Byrne  
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Andrew Stephenson  
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This is Tenants Together's fourth issue of the newsletter.

To access archived publications, visit [www.tenantstogether.org](http://www.tenantstogether.org) or call our office at **415-495-8100** to receive a publication via US Mail.

# MEMBER ORGANIZATIONS

Thanks to each of our current member organizations for their work to strengthen tenant rights in California!

- Affordable Housing Advocates
- Asian Law Alliance
- Asian Law Caucus
- California Affordable Housing Law Project
- Causa Justa :: Just Cause
- Coalition for Economic Survival
- Coalition of Mobilehome Owners - California
- Community Legal Services in East Palo Alto
- Eviction Defense Collaborative
- Eviction Defense Network
- Fair Housing Council of Riverside County
- Fair Rent Coalition
- Fresno Interdenominational Refugee Ministries
- Housing Rights Committee of San Francisco
- Inner City Law Center
- Isla Vista Tenants Union
- Legal Aid Society of San Mateo County
- Legal Assistance to the Elderly
- Marin County Grassroots Leadership Network
- National Housing Law Project
- San Francisco Tenants Union
- Santa Monica's for Renters' Rights
- Sunny Acres Residents Association
- Tenants Legal Center of San Diego
- Tenderloin Housing Clinic

## Tenant Action Groups

Continued from p. 1

Thousands of tenants face challenges related to the foreclosure crisis, lack of repairs, habitability, illegal evictions, and more. Day in and day out, tenants struggle to work through the maze until their questions are answered. By contacting Tenants Together, these individuals are connected to a network of thousands of tenants, many of whom have been through similar situations and can share knowledge and resources.

TT members in Fresno, Merced, and Sacramento have already begun forming local groups. Leaders have coordinated meetings with tenants, legislators, and allies. Tenants in other cities across the state have also contacted TT and expressed an interest in setting up local groups. Stay tuned to learn about the growth and progress of local TAGs.

Get involved! Take action collectively to expand tenants' rights. Email [tag@tenantstogether.org](mailto:tag@tenantstogether.org) or call 888-495-8020.

### Take Action! Join your local TAG

- ➔ **build the base** - recruit neighbors, knock on doors of renter-occupied households, and table at local events
- ➔ **educate** fellow renters about existing protections at the local, state, and federal level
- ➔ **build campaigns** around issues such as the foreclosures, habitability, illegal evictions, or just cause protections

[tag@tenantstogether.org](mailto:tag@tenantstogether.org)  
888-495-8020

### TT's Online Directory

Tenants Together offers a **free** online directory of tenant resources. Enter a city or county into the appropriate search box to find organizations and services in your area.

To add a listing, simply visit  
[www.tenantstogether.org/directory](http://www.tenantstogether.org/directory)

If you know of a resource in your region that is not listed in the directory, please notify us by emailing [info@tenantstogether.org](mailto:info@tenantstogether.org) or calling 415-495-8100.

TT's  
directory  
is free

## Tenants Together Announces Hall of Shame Nominees

For years, tenants have tolerated landlord harassment, illegal evictions, hazardous living conditions, and other forms of abuse with little recourse. Irresponsible landlords get away with these wrongful actions because of a lack of oversight, transparency, and accountability. Tenants have no way to learn, in advance, if they are entering into a contract with an unscrupulous landlord, and no way to expose unethical or illegal behavior after the fact.

As a result, bad landlords continue renting substandard housing to unsuspecting tenants in different properties across a given city and, potentially, in different cities across the state. Tenants Together

recently launched the Landlord Hall of Shame in order to shine a spotlight on bad landlords and send a clear message that their actions will be announced and publicized.

To be inducted into the Hall of Shame, the landlord must first be suggested as a nominee. All California tenants can suggest nominees for the Landlord Hall of Shame by going to [hallofshame.tenantstogether.org](http://hallofshame.tenantstogether.org). If the nominee is already on the list, simply click the link to tell us more. Then,

based on the information submitted and our own research, Tenants Together announces Official Nominees throughout the year. Lastly, members of Tenants Together participate in a vote to determine which of the Official Nominees will be inducted into the Hall of Shame. As this issue went to print, Tenants Together members were gearing up for the first vote.

There are currently five Official Nominees for the Landlord Hall of Shame. In **Bakersfield**, Frank St. Clair, the managing broker for Bella Vista Real Estate, LLC, evicted numerous tenants after foreclosure in direct violation of their rights under the federal Protecting Tenants at Foreclosure Act (PTFA) that was signed into law by President Obama in May 2009. In **East Palo Alto**, David Taran of Page Mill Properties orchestrated and executed a predatory scheme to evict thousands of rent-controlled tenants in the city. In **Los Angeles**, LA Clippers owner and mega-landlord Donald Sterling has been involved in a growing number of out-of-court settlements in cases alleging discrimination on the basis of race, national origin, and family status. In **Sunnyvale**, Steve Pavlina reportedly steered prospective tenants of Indian origin away from nicer, remodeled units and towards less desirable apartments. In **Berkeley**, Reza Valiye, a landlord whose properties chronically fall short of meeting housing code, has served time in jail for failing to meet court cleanup orders. In **Fresno**, father-son pair John and David Hovanian, doing business as JD Home Rentals, own hundreds of rental units and are notorious for substandard conditions that are hazardous for the health of tenants.

To nominate a landlord, review the latest news, or participate in the vote to induct a landlord into the Hall of Shame, visit [hallofshame.tenantstogether.org](http://hallofshame.tenantstogether.org).



# FORECLOSURE CENTER

Through innovative organizing, education, and advocacy, Tenants Together continues to lead efforts to mitigate the devastating impact of the foreclosure crisis on tenants across the state.

## Education and Outreach

### Tenant Foreclosure Hotline

Tenants Together’s volunteer hotline counselors continue to help tenants in foreclosure situations learn and assert their rights in order to stay in their homes for as long as possible, keep utilities on, and recover security deposits. So far, we’ve counseled over 4,000 tenants.

### Pre-Foreclosure Outreach

Tenants Together does outreach to tenants who live in properties that may be in foreclosure in order to educate them about their rights and prepare them to take action.

### Foreclosure Action Guide

The TT website features an Action Guide to help tenants in foreclosure situations learn, assert, and expand their rights. The Guide includes downloadable sample-letters to banks and elected officials, as well as a web-based, sample letter to the editor. Visit [www.tenantstogether.org/ActionGuide](http://www.tenantstogether.org/ActionGuide) for more information.

## Advocacy

TT continues to pressure banks to adopt more sensible policies and let tenants stay in their homes after foreclosure. TT also supported SB 1149 to protect tenants who contest foreclosure evictions from unfair blacklisting. TT applauds the recent clarification and extension of the federal Protection Tenants at Foreclosure Act through the end of 2014.



Dean Preston, Gabe Treves, and Hotline Counselor Matt Hale at the TT office



## FORECLOSURE HOTLINE

To contact the Foreclosure Hotline, call 888-495-8020 or visit [www.tenantstogether.org/hotlineintake](http://www.tenantstogether.org/hotlineintake)

## TT Releases Report Comparing National Banks’ Rental Policies

In response to the devastating impact the foreclosure crisis has had on tenants and their communities, Tenants Together delivered *Win-Win: A Proposal for Banks to Continue Renting to California Tenants after Foreclosure* to all major national banks acquiring tenant-occupied foreclosed properties. The Win-Win Proposal demands that banks comply with existing



Tenants Rally at Wells Fargo to Hold Big Banks Accountable

tenant-protection laws and continue to rent to tenants after foreclosure, including those with month-to-month rental agreements.

Our latest report, *Without Justification: Banks Continue Mass Displacement of Innocent Tenants after Foreclosure*, analyzes

rental policies and actions of the major national banks acquiring tenant-occupied foreclosed properties. As detailed in the report, banks continue to maintain callous and irrational rental policies that lead to the mass eviction of tenants after foreclosure. Only Fannie Mae, Freddie Mac, and JPMorgan Chase have adopted policies in line with our Win-Win Proposal. Unfortunately, these rental policies are often undermined in practice by the actions of real estate agents and eviction lawyers hired by the banks to handle their tenant-occupied properties.

“

Thank you for returning my call and giving me peace of mind about my rights in a foreclosure situation. I am so grateful your group is here to help people in my situation.

—Jason Tobias, TT Member  
Palm Springs, California

## Don’t Get Pushed Around - Report Bad Actors

You can hold post-foreclosure landlords and their agents accountable by reporting them to the right regulatory agency. You can contact:

**CA Attorney General’s Office** to report banks and their agents who are not complying with tenant-protection laws. Presently, the AG is conducting an investigation prompted by TT and our allies. Call 800-952-5225.

**CA Bar Association** to report lawyers who are violating tenant protection laws. Call their Attorney Complaint Hotline at 800-843-9053.

**CA Department of Real Estate** to report harassment by real estate agents. Call 916-227-0864 and select option 3.

## Foreclosure-related Utility Shutoffs Continue Despite New Law

Senator Alan Lowenthal (D-Long Beach) authored legislation that strengthens tenants' rights against utility shutoffs, especially for tenants in single-family homes who, until now, were denied protections that apply to other renters. The law is particularly important for tenants in homes going through foreclosure, as defaulting landlords and banks are notorious for failing to maintain basic utility services for their tenants. The law has prevented shutoffs in many parts of the state.

Despite the recent enactment of Senator Lowenthal's bill, SB 120, some tenants in foreclosure situations continue to have their utilities shut off in violation of their rights under state law. After getting repeated calls from tenants in Placer County experiencing improper utility shut-offs, Tenants Together contacted the Placer County Water Agency and got a commitment from them to change the agency's rules and regulations to comply with SB 120 and the California Public Utilities Code.



Senator Alan Lowenthal

## JUST CAUSE

The passage of a just cause for eviction ordinance represents a cost-free and effective way to stop the unfair evictions of tenants after foreclosure.

The following cities have just cause for eviction protections:

Berkeley • Beverly Hills • East Palo Alto

Glendale • Hayward • Los Angeles

Maywood • Oakland • Palm Springs

Richmond • San Diego • San Francisco

Santa Monica • Thousand Oaks • West Hollywood

**Add your city to this list!** Visit [www.tenantstogether.org](http://www.tenantstogether.org) to learn more about passing a just cause ordinance in your city.

## Take Action!

We've come a long way towards protecting and expanding the rights of tenants after foreclosure. But a lot more needs to be done.

### Join a Tenant Action Group to help organize and educate your neighbors

Join or create a TAG in your city to take action collectively and expand the rights of tenants at the local level.

### Ask your city council to pass protections for tenants in foreclosed properties

Your city council can help stabilize your community by passing a local-level just cause for eviction ordinance, which limits the legal grounds for eviction and does not recognize foreclosure as valid reason to displace tenants.

### Ask your County Recorder to notify you when your landlord is in default

Exercise your rights pursuant to California Civil Code § 2924b and demand that your county recorder's office notify you when your landlord's lender files a Notice of Default.

### Hold bad actors accountable

Report bad actors to regulators and take your story to the media.



Call our hotline to learn more  
**888-495-8020**

# LOCAL HIGHLIGHTS

## FRESNO

### Fresno Tenants Unveil Campaign Targeting Major Slumlord

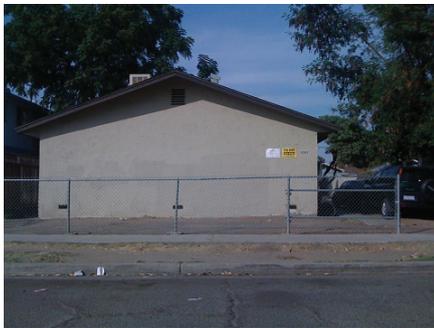
Fresno is one of the largest cities in California's Central Valley, with a population of about 500,000. Of these hundreds of thousands of residents, more than half rent their homes. The proportion of renters in Fresno is 20% higher than the national average. Despite these high numbers, the odds in Fresno are stacked against tenants. Unlike many cities in California, Fresno lacks basic tenant protections.

Fresno tenants are coming together to change this dynamic. A citywide coalition of renters, allies, and other advocates has formed to educate fellow renters about their rights under state and federal law, to expand tenant rights in the community, and to stand up to bad actors.

Fresno is home to one group of bad actors in particular who dominate the rental market. Father-son pair John and David Hovannisian, doing business as JD Home Rentals, own hundreds of rental units and are notorious for substandard conditions that are hazardous for the health and well-being of tenants.

In 2009, Rev. Sharon Stanley of the Fresno Interdenominational Refugee Ministries (FIRM) showed reporters a bag full of roaches collected from one apartment in an infested apartment complex on Lowe Avenue in southeast Fresno. The media campaign exposed the problem, bringing much-needed public attention to

the plight of tenants, and pressured JD Home Rentals to take steps to address the substandard housing conditions. However, the family, which has forced countless families to endure deplorable living conditions, has yet to take responsibility for their callous business practices.



Problems with JD Home Rentals date back years. Court records show David Hovannisian as a party to numerous lawsuits regarding his rental properties throughout the 1990s and beyond. According to a 2006 ABC news investigation, hundreds of complaints related to cleanliness, safety, and habitability have been filed against the landlord.

Members of the Fresno Tenant Action Group are working together to inform fellow tenants of ways to learn and assert their legal rights. Join FIRM, Centro La Familia, Fresno Metro Ministry, the Fresno Housing Alliance, Tenants Together, and many others in our campaign to improve living conditions and strengthen tenant rights in Fresno.

FRESNO is located in Fresno county, in the San Joaquin Valley of Central California. It is the fifth largest city in the state. Fresno has a population of approximately 500,000, and 52% of its residents are renters.

## MERCED

### More Than Half of Merced Residents Rent Their Home

According to the 2006-2008 American Community Survey published by the U.S. Census Bureau, nearly 60% of Merced residences are occupied by renters. This large percentage, which is more than double the national average, has created a tight rental market in Merced with more demand than supply.

Despite the high number of renters, Merced tenants lack basic protections that tenants in many other California cities have. Merced tenants have no protection from arbitrary evictions or exorbitant rent increases. This has left tenants particularly vulnerable to abuse by banks after foreclosure.

On top of the need for basic tenant protections and information about laws and resources in this city with a population of approximately 80,000, the foreclosure crisis has negatively impacted hundreds of tenants through no fault of their own.

Tenants Together members in Merced are joining forces to create a strong voice in the community to protect and expand the rights of tenants. To get involved, call our toll-free number at 888-495-8020 or email [tag@tenantstogether.org](mailto:tag@tenantstogether.org)

MERCED is the county seat of Merced County. It has a population of approximately 80,000, and 60% of its residents are renters.

## OAKLAND

### Causa Justa :: Just Cause Launches Utilities On! Campaign

In September 2010, TT member organization **Causa Justa :: Just Cause** launched the Utilities On! campaign. The goal of the campaign is to make sure that post-foreclosure landlords assume the responsibility of paying for utilities in foreclosed properties in both Oakland and San Francisco.

In Oakland, the campaign will pressure the East Bay Municipal Utilities District (EBMUD) to keep water on. In San Francisco, the campaign will work to make sure that Pacific Gas & Electric (PG&E) keeps power on for tenants.



TT's Foreclosure Hotline receives numerous phone calls from tenants whose utilities are wrongfully shut off. TT program coordinator, Gabe Treves spoke at the launch of the Utilities On! campaign to show support and demand that post-foreclosure landlords and utility companies comply with state law.

OAKLAND is located in Alameda County and has rent control and local just cause eviction protections. The city has a population of approximately 450,000, and 57% of its residents are renters.

## SAN FRANCISCO

### SF Landlords Face Steep Fines

In November, the San Francisco Board of Supervisors voted to pass legislation imposing a new penalty on landlords who fail to correct habitability issues in their properties. If a request to correct or repair a problem goes ignored, landlords face fines as high as \$1,000 per day.

Supervisor John Avalos introduced the legislation in an effort to improve the process of bringing buildings up to code and dealing with irresponsible landlords.

The ordinance passed 10-0. The San Francisco Apartment Association opposed the law, deeming it unnecessary.

The legislation was authored by Supervisor John Avalos, who also authored legislation in 2010 to extend just cause for eviction protections to cover more renters.



SAN FRANCISCO is the fourth most populous city in California, with an approximate population of 800,000. 65% of its residents are renters. S.F. has a rent control ordinance with just cause eviction protections.

## SANTA BARBARA COUNTY

### Rental Housing Roundtable Works to Amend County Ordinance

Chapter 44 of the Santa Barbara county code may soon be amended to extend relocation assistance to tenants who are forced to move through no fault of their own.

The county's ordinance requires that landlords provide relocation assistance when tenants are forced out because their homes have been deemed uninhabitable. An evaluation of the current ordinance exposed several issues to address, including inadequate notice of eviction, shortage of available affordable housing, and a general lack of awareness by tenants and landlords of rights and responsibilities.

Hundreds of families in Santa Barbara County have been forced from their homes because of renovation plans that displace low-income families to make room for higher rent tenants. Those who are displaced in these mass evictions get no relocation payments under local law.

The Rental Housing Roundtable is seeking to amend the ordinance to require relocation payments in cases of mass evictions. Hilary Kleger of the **Isla Vista Tenants Union** has emphasized the need to protect families from homelessness and displacement, and stabilize communities by keeping families connected to their jobs and schools.

For more information about the campaign, contact IVTU at 805-968-6704 or visit [ivtu.as.ucsb.edu](http://ivtu.as.ucsb.edu).

SANTA BARBARA COUNTY has a population of about 420,000. Approximately 44% of its residents are renters.

## SANTA MONICA

### Santa Monicans Pass Measure RR For Renter's Rights

For years, Santa Monica has been a leader in the movement to protect and expand tenants' rights. In 1978, tenants, local community groups, and political organizations came together to form **Santa Monicans for Renters' Rights (SMRR)**.

In 1979, SMRR won the passage of the strongest rent control law in the country. In addition, two SMRR-backed candidates were elected to the city council. Over the course of the past thirty years, SMRR has continued to expand its base and collectively build power to give Santa Monica renters a place in major decisions that affect the entire community.

In 2010, the Santa Monica City Council voted unanimously to place a measure on the November ballot that would increase tenant protections.

On election day, Santa Monicans passed Measure RR with 65% of the vote, thus strengthening eviction protections and prohibiting landlords from evicting without cause. The measure extends these protections to renters in non-rent-controlled buildings but does not apply to single-family homes or condos.

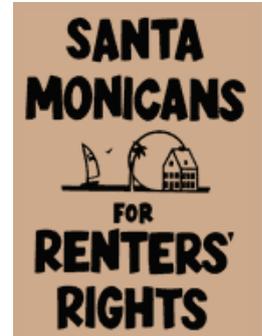
Measure RR will help protect some of the community's most vulnerable tenants, including seniors, the disabled, and the terminally ill from unfair displacement.

Prior to the passage of Measure RR, landlords could evict tenants in non-rent-controlled buildings without cause. Under the new law, landlords can evict only for specific causes, such as failure to pay rent, significantly violating the rental agreement, causing nuisance behavior, engaging in illegal activity on the premises, subletting unlawfully, causing damage to the unit, or refusing to allow entry for repairs.

In addition, Measure RR requires landlords to give advance written warning to tenants, thereby giving tenants an opportunity to remedy the problem for many types of evictions. However, landlords are not required to give this warning for evictions for criminal activity or nonpayment of rent.

At their annual convention which took place last August (pictured at right), **Santa Monicans for**

**Renters' Rights** voted unanimously to endorse Measure RR. For more information, call the SMRR hotline at 310-394-0848 or visit [www.smrr.org](http://www.smrr.org).



SANTA MONICA, located in Los Angeles County, has a population of approximately 87,000. 71% of its residents are renters. Santa Monica has a rent control ordinance with just cause eviction protections.

# STATE LEGISLATIVE UPDATES

Tenants Together monitors tenant-related legislation in Sacramento. Here's a summary of key issues in state government that affect tenants. Be sure to check out our website and sign up for regular email updates.



## NEW LAWS IN 2011

**SB 1149** Senator Ellen Corbett (D–San Leandro)  
**Protecting Tenants From Blacklisting After Foreclosure**

SB 1149 will empower tenants living in foreclosed properties to contest illegal evictions. The law, authored by Senator Ellen Corbett (D – San Leandro), and co-sponsored by the California Reinvestment Coalition, the Western Center on Law & Poverty, and California Rural Legal Assistance Foundation, protects tenants from negative credit impacts of post-foreclosure eviction cases. The law also imposes new notice requirements on landlords that seek to displace tenants from their homes after foreclosure.



**SB 454** Senator Alan Lowenthal (D–Long Beach)  
**Preserving At-Risk Affordable Rental Housing**

Authored by Senator Alan Lowenthal (D-Long Beach), SB 454 makes permanent the law requiring affordable housing owners to give notice to tenants and the government before converting a property to market rate. The law is designed to identify preservation buyers for properties with expiring affordability restrictions.

**AB 1800** Assemblymember Fiona Ma (D–San Francisco)  
Assemblymember Curt Hagman (R–Chino Hills)  
**Classifying Fraudulent Rental a Felony**

Assemblymember Fiona Ma (D–San Francisco) and Assemblymember Curt Hagman (R–Chino Hills) co-authored this bill to classify as grand theft the purported renting of a dwelling by a person claiming to be the owner of the property, where the person in fact has no ownership interest and the unsuspecting tenant loses rents and deposits.

**SB 2337** Assemblymember Tom Ammiano (D-San Francisco)  
**Preventing Predatory Investments By Pension Funds**

Senator Lou Correa (D – Santa Ana) killed the nation's first bill to stop predatory investments that displace renters from their homes.

Despite this development, Assemblymember Ammiano's groundbreaking bill was not in vain. In response to the bill, CalPERS and CalSTRS adopted new internal policies banning future predatory real estate investments – a major step toward stopping public pension funds from financing evictions.

## VETOED LEGISLATION



**AB 2743** Assemblymember Nava (D–Santa Barbara)  
**Prohibit Landlords from Requiring Declawing or Devocalizing of Animals**

This bill would have prohibited a landlord from advertising or establishing rental policies that require a tenant or a potential tenant to have an animal declawed or devocalized. Governor Schwarzenegger vetoed the bill.

## SPECIAL ALERT



The Protecting Tenants at Foreclosure Act (PTFA), originally signed into law by President Obama in May 2009, was the first federal legislation to expand tenants' rights in nearly 20 years. Under the PTFA, most tenants have the right to stay in their homes after foreclosure for at least 90 days or through the term of their lease. The PTFA was scheduled to expire in 2012. **On July 21, Obama signed an extension of the PTFA through 2014.**

The law signed by Obama also clarifies that post-foreclosure owners, usually banks, must honor leases entered into any time before the transfer of title at foreclosure. Banks had previously argued that only leases entered into before the Notice of Default or Notice of Trustee Sale survive foreclosure. This clarification takes away a major tool that banks have been using to deprive tenants of their right to remain in their homes.



One of the key recommendations in our *2010 Report: California Tenants in the Foreclosure Crisis* was to extend the PTFA. Tenants Together welcomes this modest but significant step to strengthen tenants' rights at the national level.

Visit [www.tenants-together.org](http://www.tenants-together.org) to sign up for our email alerts and stay up to date on what's happening in Sacramento and across the state.

## COURT WATCH

Tenants Together monitors the development of landlord-tenant case law, with a particular concern towards maintaining tenants' rights and remedies in the court system.

## RECENT RULINGS

### **Ramirez v. Wong**

*Trespassing Manager Not Liable Under Civil Rights Laws*

Tenant and her minor daughter sued apartment manager for entering apartment when they were not home, opening dresser drawer and sniffing their underwear. The Court of Appeal held that an apartment manager's conduct was not actionable under the Unruh Civil Rights Act or related provisions because it did not result in a denial of equal accommodations, did not involve violence or a threat of violence, and did not constitute sexual harassment that was either pervasive or severe in nature. Other remedies (such as trespass) were not addressed in the opinion.

### **Sabi v. Sterling**

*Court Allows Section 8 Discrimination*

After her husband died, an elderly tenant applied for, and later obtained, a Section 8 voucher in order to continue affording the rent on her Santa Monica apartment. The landlord, LA Clippers owner Donald Sterling, refused to accept her Section 8 voucher. The tenant sued alleging that Sterling's refusal to accept her voucher constituted source of income discrimination under California's Fair Employment and Housing Act. The Court of Appeal ruled for the landlord. The California Supreme Court denied a petition for review, so the decision is final.

### **First Amendment Coalition v. CalPERS**

*Court Orders CalPERS to Release Documents about Eviction Scheme*

CalPERS refused to disclose documents regarding its controversial investment of \$100 million into a real estate scheme in East Palo Alto premised on the eviction of low-income renters. The First Amendment Coalition successfully sued and obtained a ruling from San Francisco Superior Court Judge Charlotte Woolard in September. The judge rejected CalPERS' argument that the documents were confidential and ordered CalPERS to release documents regarding the investment.

## PENDING CASES

### **Soroka v. Extended Stay, Inc.**

*Hotel Chain Sued for Violating Tenant Protection Laws*

Federal class action claims Extended Stay Hotels has its rental agreements expire every 29 days and 20 hours to avoid application of state housing laws that provide rights to tenants who rent for at least 30 days. Class action claims damages exceeding \$5,000,000. Plaintiffs are represented by Wexler Wallace LLP in Sacramento.

Help unite California tenants

**Donate today**

[www.tenantstogether.org](http://www.tenantstogether.org)



## SPECIAL THANKS

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## What do you think?

Find us on Facebook and let us know what you have to say.

Tenants Together recently reached 800 fans on Facebook. Find our page and share news, opinions, and other information with us.

“ I hope tenants everywhere will stand their ground and fight back when someone tries to tear you down just because of their pocket size.”

–Rebecca Nesler, TT Member  
Elk Grove, California

## MEMBER SPOTLIGHT

In 2008, Rebecca Nesler of Elk Grove and her family moved into a home with a one-year lease. At the end of the first year, the Neslers signed a two-year renewal.

About a year later, Rebecca and her husband discovered that their landlord had stopped paying the mortgage and the house was sold on the steps of their local courthouse.

Just 48 hours later, the new owner knocked on the Nesler’s front door with a 90-day notice to vacate and news that he planned to sell the property at the end of three months.

Rebecca began doing research and soon discovered Tenants Together. “I was immediately overwhelmed with support and help,” Rebecca shared. “I told the new landlord that the federal Protecting Tenants at Foreclosure Act would allow me to stay in my home through the term of my lease.”

It wasn’t long before the battle ensued.

The new landlord served the Neslers with an eviction notice, and included a lie that he planned to occupy the property. Rebecca made a choice to fight back. Research at the County Recorder’s office showed that her landlord had flipped over 200 houses in 20 years. The Neslers sought legal assistance, and after 6 months, the landlord dropped the case.



The Neslers will remain in their home until their lease expires at the end of 2011. “Just because we are tenants doesn’t mean that we don’t have rights or the knowledge to assert them,” Rebecca shared. “I hope tenants everywhere will stand their ground and fight back when someone tries to tear you down just because of their pocket size. And to investors - it’s okay to make a living, but there’s no point in making a killing.”

**READ OUR BLOG!**

**RENTS & RANTS**  
THE OFFICIAL BLOG OF TENANTS TOGETHER

[www.rentsandrants.org](http://www.rentsandrants.org)

*Dear members:*

We are inspired by our members. Many of you are struggling against all odds to protect your families and your homes, especially during these tough economic times.

You stand up for your right to a habitable home, even when your landlord tells you to move out if you don’t like the conditions. You share your story, even as your landlord threatens retaliation. Above all, you refuse to accept that your worth is measured by whether you own or rent property. Deep down, you know that you are an integral part of your community, whether you have a lease or a deed to your home.

Tenants Together has accomplished a tremendous amount in a short time. We’ve attracted thousands of members across the state to be part of California’s statewide tenant rights movement. We beat back a landlord-backed initiative that would have abolished rent control and other protections. We forced California’s multi-billion dollar pension funds to stop investing in real estate deals that evict tenants. We’ve helped thousands of tenants stand up to banks through our tenant foreclosure hotline. Working with our allies, we convinced California’s Attorney General to launch a major investigation of violations of tenant rights after foreclosure. Meanwhile, our members are working to pass anti-eviction laws in communities around the state.

None of this would have been possible without your support and commitment. With your help, we will continue to fight for fairness and justice for California’s 14 million renters.

Thank you for being part of this historic effort to build a strong state-wide tenant rights movement.

*All our best,  
Tenants Together*

“ Thank you for the assistance and the great advice! I look forward to joining my local TAG and connecting with other TT members locally.”

–Derek Dunbar, TT Member  
Sacramento, California

## TENANT VOICES

Share your story

Visit [www.tenantstogether.org](http://www.tenantstogether.org) and click on **Tenant Voices** to share your story with us.

[www.tenantstogether.org](http://www.tenantstogether.org)



# TENANTS TOGETHER

Arranque esta hoja y compártalo con sus vecinos  
Tear out this fact sheet and share it with your neighbors

## Inquilinos en California: Aprendan Sus Derechos!

Como un inquilino en California, tiene el derecho a:

- ser notificado con 24 horas de anticipación, por escrito, antes de que el dueño entre a su departamento o casa, a menos que el dueño este entrando por una emergencia como un incendio o una fuga de gas.
- permanecer en su casa hasta la expiración de una notificación válida, por escrito, que termina su contrato.
- defenderse contra los desalojos en corte.
- recibir su depósito de seguridad dentro de 21 días después de mudarse.
- reportar a la ciudad malas condiciones en su hogar.
- insistir que la ciudad adopte una ley local de “causa justa” y otras protecciones para inquilinos.

## California Tenants: Know Your Rights!

As a California tenant, you have the right to:

- 24-hour written notice before your landlord enters your home, unless the landlord is responding to an emergency such as a fire or gas leak.
- stay in your home until expiration of a valid, written notice to terminate tenancy.
- contest evictions in court.
- get back your security deposit within 21 days after you move out.
- report substandard housing conditions to the city’s code enforcement agency.
- push for your city to adopt a local ‘just cause’ for eviction law and other tenant protections.

Para mas informacion, lláma a  
Tenants Together. Nuestro servicio  
es gratis. Llama al **888-495-8020**



For more information,  
call Tenants Together. The  
call is free. Dial **888-495-8020**

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**Support the California movement for tenant rights.**  
*Join Tenants Together today!*

**MEMBERSHIP FORM**

English  Español  Other \_\_\_\_\_

NAME

ORGANIZATION (if applicable)

STREET ADDRESS

CITY/STATE/ZIP

PHONE

EMAIL

**Individual Membership**  
 Sliding scale \$0 - \$100

\$25  \$50  \$75  \$100

Other \_\_\_\_\_

**Organizational Membership**

Tenant association  \$50  \$100  \$250

Nonprofits  \$100  \$250  \$500

Other organizations  \$250  \$500  \$750

I would like to join a local Tenant Action Group in my community

Members who contribute \$25 or more get their choice of a free T-shirt or book.

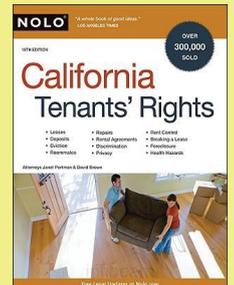
Please send me a:

Tenants Together T-shirt  Nolo Press California Tenants' Rights Book  Both (for a contribution of \$50 or more)

T-shirt size:  Small  Medium  Large  Extra Large

**Get a T-shirt and book!**

Members who contribute \$25 get a free T-shirt or book. Contribute \$50 or more and get both!



Send form with check/money order to:

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