

RENTAL RIGHTS AND REFERRALS PROGRAM NON-RENT CONTROLLED BUILDINGS – “NO CAUSE” NOTICE REQUIREMENTS

THE CITY OF SAN JOSE is committed to protecting the rights of tenants and landlords, and providing education and information to improve their relationships. In the case of rental dispute between a landlord and tenant, knowing the law, having access to resources, and exploring options can minimize conflict.

KNOW THE LAW REGARDING “NO CAUSE” EVICTIONS FOR NON-RENT CONTROLLED UNITS

The law regarding evictions for non-rent controlled units is largely set forth in State statutes. Effective July 1, 2003, the City of San José implemented an additional requirement for landlords of non-rent controlled buildings with three or more units in the City of San José. This new requirement is in the San José Municipal Code, Part 7 of Section 17.23, known as the **Rental Dispute Mediation and Arbitration Ordinance**.

As of July 1, 2003, landlords are required to extend an offer to attend non-binding mediation, if they serve tenants, residing in a unit for one year or longer, a “No Cause” Notice to vacate.

If the tenant accepts the landlord’s offer to mediate:

- It shall be mandatory for both the landlord and the tenant to participate.
- Both parties will be required to listen to the opening statement of the mediator and to the concerns expressed by the other party.
- Both parties will be given an opportunity to express their own concerns.
- Neither party will be required to negotiate or come to any agreement.
- If the parties choose to participate, the mediator will assist the parties in coming to an agreement.
- The parties will be free to walk away from the mediation at any point they choose after the other party’s opening statement.
- If the parties do come to a resolution of their dispute, they may choose to create a valid agreement that will be legally binding for both parties.

COVERAGE OF RENTAL UNITS

- This new requirement applies to triplex, four-plex or larger complexes built after September 7, 1979.
- Triplex, four-plex or larger complexes built before September 7, 1979 are generally subject to the full terms of the Rental Dispute Mediation and Arbitration Ordinance.
- Condominiums, duplexes, townhomes, and single-family residential units are exempt from this mediation requirement.
- Certain units that are on the market (the owner is attempting to sell the property) are also exempt from the requirement to mediate.

For more information, call 408.975.4480 or visit our website at www.sjhousing.org

**Information regarding State rental laws can be obtained at <http://www.dca.ca.gov/publications/landlordbook/index.shtml>*

REFERRALS AND RESOURCES

Health and safety concerns, contact:

Code Enforcement, City of San José
200 East Santa Clara Street
San José, CA 95113
408.535.7770

www.sanjoseca.gov/codeenforcement

Miscellaneous rental questions concerning leases, security deposits, evictions, 3-day or “No Cause” notices, unfair housing practices, contact:

Bay Area Legal Aid (San José)
4 N. Second Street, Suite 600
San José, CA 95113
408.283.3700

www.baylegal.org

Asian Law Alliance
991 W. Hedding Street, #202
San José, CA 95126
408.287.9710

www.asianlawalliance.org

Legal Aid Society, Housing Project
480 North First Street
San José, CA 95113
408.283.1535

www.legalaidsociety.org

Mediation services or negotiating assistance, contact:

Rental Rights & Referrals Program
200 East Santa Clara Street
San José, CA 95113
408.975.4480

www.sjhousing.org

Project Sentinel
1490 El Camino Real
Santa Clara, CA 95050
408.720.9888

Mediate4us@housing.org

Fair Housing Law Project of the Law
Foundation of Silicon Valley
152 N. Third Street, 3rd Floor
San José, CA 95112
408.293.4790

www.lawfoundation.org

CAA Tri County Division
1530 The Alameda, Suite 100
San José, CA 95126
408.342.3517
408.271.9144 fax

www.tcaa.org

Small Claims Court
1095 Homestead Road
Santa Clara, CA 95050
408.370.4440

www.scservice.org

Senior Adults Legal Assistance (SALA)
Central County Office
160 East Virginia Street, Suite 260
San José, CA 95112
408.295.5991

www.sala.org

Housing Authority
505 West Julian Street
San José, CA 95110
408.275.8770

www.hacsc.org

Santa Clara County Bar Association
Lawyer Referral Service
31 North Second Street, 4th Floor
San José, CA 95113
408.287.2557

www.sccba.org

Santa Clara County Office of Human Relations
2310 North First Street, Suite 104
San José, CA 95131
408.792.2300

www.sccgov.org

Hassle Free Process Service
1160 Homestead Road
Santa Clara, CA 95050
408.379.4700

www.hasslefreeprocess.org

Self Service Center
99 Notre Dame
San José, CA 95113
408.882.2926

www.scservice.org

Mediation services or negotiating assistance, contact:

Housing Service Partnership
2011 Little Orchard Street
San José, CA 95125
408.510.7502