CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Housing

RentalRightsReferrals

RENTAL RIGHTS AND REFERRALS PROGRAM

TENANTS AND LANDLORDS HAVE RIGHTS AND RESPONSIBILITIES

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 RENT INCREASES

The City of San José Housing Code includes a rental dispute mediation and arbitration ordinance that does not allow:

- a rent increase of more than **8%** one time per year, **or**
- more than **21%** when the last rent increase was more than **24** months ago

Exceptions are possible if tenants do not object to such increases and in cases where landlords have made certain improvements or upgrades that can be documented via bills and receipts.

The rental Dispute Mediation and Arbitration Ordinance applies to:

- a triplex, four-plex, or larger complex built before September 7, 1979

Rent control does not apply to:

- condominiums, duplexes, townhomes or single-family residential units
- units with rent that is fully or partially paid for by a federal subsidy
- units built after September 7, 1979

TENANTS RIGHTS

If a tenant lives in a unit covered by the Rental Dispute Mediation and Arbitration Ordinance and feels that the rent has been unfairly increased or rights have otherwise been violated, tenants can file a petition to challenge the rent increase with the Rental Rights and Referrals Program. Tenants have at least 10 days (with some exceptions) after receiving written notice of a rent increase to file the petition. For more information, call **408.975.4480**. *See Section 17.23.250 of the Apartment Rent Ordinance.*

Additional reasons to file a petition:

- a reduction in services in the last twelve months without a corresponding reduction in rent (this is considered a type of rent increase)
- health and safety violations, as documented by the City of San José Code Enforcement
- following a "No Cause" eviction, initial rent to the new tenant may not be raised more than the amount allowed under the Rental Dispute Mediation and Arbitration Ordinance

A FAIR AND EFFECTIVE REMEDY . . . M E D I A T I O N

Mediation is one of the best alternatives for resolving differences in a fair and equitable way. The City of San José provides mediation services to assist tenants and landlords with the negotiation process.

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

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.scselfservice.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.scselfservice.org

Mediation services or negotiating assistance, contact:

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