

RENTAL RIGHTS AND REFERRALS PROGRAM

UNITS COVERED UNDER RENT CONTROL – “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” NOTICES FOR RENT CONTROLLED UNITS

As of January 1, 2003, landlords of rent-controlled units in the City of San José may serve tenants one of the following notices to vacate:

- A. For tenants in residence for one year or more, a landlord may:
 - Issue a 90-day “No Cause” notice in a slow rental market, or 120-day “No Cause” notice in a tight rental market. The City of San José Housing Director will publish a market condition report on May 1st and November 1st of each year. **A tight rental market exists when the citywide vacancy rate is less than 3%.*
 - Issue a 60-day “No Cause” notice along with an offer allowing the tenant to choose to have the final date of the lease eviction determined by an arbitrator.
 - Serve the tenant a “3-day” notice to correct a violation of the lease or vacate the premises in accordance with State law. The ordinance does not prevent a landlord from evicting a tenant if the tenant is in violation of the terms of the lease.
- B. Tenants who have lived in the units for less than one year may be served a 30-day “No Cause” notice, consistent with State law.
- C. Certain homes that are on the market (the owner is attempting to sell the property) are exempt from the rental control ordinance requirements to serve 90 and 120 day notices. State law covers termination of tenancies in such units.**

THE PROCESS FOR ACCEPTING AN ARBITRATION OFFER

- A. When a tenant accepts the offer to arbitrate, the tenant must submit a written acceptance of the arbitration offer to the City within five business days after receiving the 60-day notice to vacate.
 - Deliver or send the written acceptance to:
 - City of San José – Housing Department, Rental Rights and Referrals Program, 200 East Santa Clara Street, San José, CA 95113
 - Both the landlord and tenant must participate in the arbitration.
 - Tenant acceptance of the arbitration process voids the 60-day notice.
 - The arbitration process will determine the actual termination of the tenancy which may be between 60 and 120 days from the original notification date.
- B. The tenant may decline to use the City of San José arbitration process. In this case, the 60-day notice stands and the tenant will be required to vacate within the 60-day period.

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

**Rental market conditions will be published as a legal notice in the San José Mercury News and is also available 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.scselselfservice.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.scselselfservice.org

Mediation services or negotiating assistance, contact:

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