



HOUSING DEPARTMENT

EVICTION PREVENTION PROGRAM

Rent Stabilization Program

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Agenda

- Eviction Prevention Program Overview
- Unlawful Detainer Clinic
- Eviction Diversion & Settlement
- Community Outreach & Education
- Tenant Protection Ordinance
- Eviction Process



Eviction Prevention Program

- Educate residents, tenants, and housing providers
- Provide information and referrals to parties engaged in the eviction process
- Help parties understand their rights and obligations
- Provide referrals to legal resources
- Make connections to financial and social service resources
- Provide housing linkages to tenants
- Attend eviction (i.e., unlawful detainer) hearings to provide residents with resources and screen for eligibility for the Eviction Diversion & Settlement Program

Unlawful Detainer (Eviction) Clinic

- EPP staff in courthouse on Wednesdays from 10:00 am to 12:45 pm
 - 3rd floor of Superior Court building
- Collaborative effort with Self-Help and other agencies.
 - Connect tenants and landlords with resources before their trial dates
 - Assist self-represented individuals through filing court documents
 - Identify the next proper steps landlords or tenants need to take

Eviction Diversion & Settlement Program (EDSP)

- EPP staff focuses on tenants experiencing temporary financial setbacks that led to unlawful detainer cases
 - EPP staff sit courtroom on Wednesday, Thursday and Friday
 - Limited assistance may be available to tenants in specific circumstances
- Tenants must be:
 - Involved in active UD cases
 - Have the ability to pay rent going forward
 - Earn less than 50% of the area median income

Eviction Diversion & Settlement Program (continued)

- Housing provider must agree to participate and allow tenant to remain in unit
- Other parties are also present in courthouse
 - Court mediators
 - Landlord & tenant attorneys
 - Office of Supportive Housing
 - Sacred Heart Community Service
- EPP staff works with all parties to help resolve eviction cases, get tenants connected to resources and, when possible, keep tenants housed

Community Outreach and Education

- Educate residents and landlords about housing ordinances and evictions
- Connect households to resources to help avoid preventable evictions
- EPP staff attend:
 - Pop-up clinics
 - Court clinics
 - Events (e.g., Viva Calle)
 - Webinars



Tenant Protection Ordinance (TPO)

- Evictions may only be initiated for one of **13 “just causes”**
- Landlords must provide written notices to tenants and the San José Housing Department
- TPO covers all units in buildings with 3 or more apartments*, unpermitted units (e.g., units built in garages), and guesthouses

*Rent-restricted affordable housing is exempt

List of “Just Causes”

“At-Fault” Causes

Nonpayment of rent

Material or habitual lease violation

Damage to the rental unit

Refusal to sign a like or new agreement

Nuisance behavior

Refusal of access to the rental unit

Unapproved holdover subtenant

Criminal Activity

“No-Fault” Causes*

Substantial rehabilitation

Ellis Act removal

Owner move-in

Order to vacate

Vacating unpermitted unit to end unpermitted use

*These items require housing providers to provide relocation assistance to tenants

TPO Requirement

Housing providers must serve tenants with an **initial notice** of termination and this information sheet before filing an eviction court case.

CITY OF SAN JOSE

Resources for San José Residential Tenants

Effective January 18, 2019 • A copy of this referral must be attached to every notice to terminate tenancy.

NOTICE TO TENANT: Your landlord has served you with a notice to terminate your tenancy. This notice must be served in good faith. Your failure to act on this notice in a timely manner may result in an eviction action filed against you by your landlord. Information regarding this notice as required by the Tenant Protection Ordinance is available at the City of San José's Rent Stabilization Program.


SUPPORT SERVICES SERVICIOS DE APOYO DE RECURSOS 支援服務	RENTAL RESOURCES RECURSOS DE ALQUILER TAI NGUYEN CHO NGUOI THUÊ NHÀ 租賃資源
	
Homelessness Prevention System 408-926-8885 Provides temporary financial assistance (e.g., rent, deposit, utilities payment) and supportive services (e.g., employment, legal) to low-income families or individuals who are at risk of losing their housing	Rent Stabilization Program Department of Housing 408-975-4480 Mon - Fri 8:00 am to 5:00 pm 200 E. Santa Clara St, 12th Floor, San José General information, referrals, and a mediation program for tenants in rent-stabilized apartments
Emergency Assistance Network 946-896-3587 The center provides referrals to rent programs, shelters and other information to qualified residents. While resources vary and funding is limited when it comes to the amount of money available, there may be one-time emergency security deposit and rental assistance to families and individuals in housing crises in Santa Clara and San Mateo Counties.	Legal Advice Line For Tenants: 800-551-5554 Mon - Thurs 9:30 am to 1:00 pm Legal advice, representation in court proceedings and City hearings, and workshop sessions For Landlords: 408-414-5359 Mon, Wed, Fri 9:30 am to 12:00 pm Legal information and workshop sessions

AVISO AL INQUILINO (SPANISH): El propietario le ha servido con un aviso de terminación de arrendamiento. Este aviso debe ser servido de buena fe. Falta de responder en tiempo a la notificación se puede resultar en una evicción de desalojo archivado por el propietario en contra usted.

THÔNG BÁO CHO NGƯỜI THUÊ (VIETNAMESE): Chủ nhà của quý vị đã gửi cho quý vị một thông báo để chấm dứt hợp đồng thuê nhà. Nếu quý vị không hành động kịp thời để trả lời thông báo chấm dứt hợp đồng thuê nhà có thể dẫn đến việc chủ nhà nộp đơn thưa kiện quý vị. Thông tin liên quan đến việc thông báo chấm dứt hợp đồng thuê nhà có sẵn tại Chương Trình Ổn Định Giá Thuê.

給租客的通告 (CHINESE-TRADITIONAL): 您的房東已通知您將會終止租約。此通告是出於誠意的。如果您不及時回應這終止租約的通告，房東可能會採取法律行動。您可向市政府房屋租金穩定部詢問有關終止租約的資料。

Please contact these resources for assistance.

 Rent Stabilization Program
City of San José Housing Department
200 East Santa Clara St, 12th Floor, San José, CA 95131 • 408-975-4480
www.sanjoseca.gov/rent • RSP@sanjoseca.gov

TPO Requirement

Housing providers must post this written notice about the applicability of the TPO in a visible area

CITY OF SAN JOSE

Tenant Protection Ordinance

Effective January 18, 2019 • Required Posting

San José's Tenant Protection Ordinance applies to your apartment. Your landlord is required to post this notice of tenant rights in a common place in your building, or provide every tenant with a copy of this notice. You can contact the Housing Department at 408-975-4480 for more information or visit www.sanjoseca.gov/rent.

<p>"JUST CAUSE" PROTECTIONS</p> <p>PROTECCIONES DE CAUSA JUSTA SỰ BẢO VỆ TỰ LÝ DO CHÍNH ĐÁNG 正當合理的理由</p> <p>THERE ARE 13 ACCEPTABLE REASONS WHY A TENANT CAN BE EVICTED.</p> <p>Hay 13 causas justificadas por las cuales un inquilino puede ser desalojado.</p> <p>Có 13 lý do chính đáng để yêu cầu người thuê nhà phải rời đi.</p> <p>房東必須有「正當」理由才能採取逐遷行動，而這些正當逐遷理由有13個不同的情況。</p> <ol style="list-style-type: none"> 1. Nonpayment of rent 2. Material or habitual violation of the lease 3. Damage to the apartment 4. Refusal to agree to similar or new rental agreement 5. Disorderly behavior or disturbing the peace 6. Refusing to grant access to the apartment when requested in accordance with law 7. Unapproved holdover subtenant 8. Criminal Activity 9. Substantial rehabilitation of the apartment 10. Removal of apartments from the rental market under the Ellis Act 11. Owner move-in 12. City code enforcement actions requiring a move-out 13. Conversion of an unpermitted apartment for permitted use 	<p>IMMIGRATION STATUS</p> <p>ESTADO DE INMIGRACIÓN THÀNH TRẠNG DI TRƯ 華裔身份</p> <p>RETRIBUTION, HARASSMENT, AND INTIMIDATION AGAINST TENANTS BASED ON THEIR IMMIGRATION STATUS IS PROHIBITED. Represalias, acoso y la intimidación contra los inquilinos basados en su estatus de inmigración está prohibido.</p> <p>Nghiêm cấm sự trả thù, hăm dọa, đe dọa đối tượng nhà dựa trên tình trạng di trú của họ.</p> <p>業主嚴禁因租客的身份對租客作出恐嚇、騷擾或騷擾。</p>
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ANUNCIO (SPANISH): La Ordenanza de Protección de Inquilinos de la Ciudad se aplica a su apartamento. Propietarios de apartamentos están obligados a publicar un aviso de los derechos del inquilino en un lugar común en el edificio, o proporcionar a cada inquilino con una copia de este aviso. Puede comunicarse con el Programa de Estabilización de Alquiler en 408-975-4480 para más información o para obtener la guía, o visitar www.sanjoseca.gov/rent.

THÔNG BÁO (VIETNAMESE): Đạo Luật Bảo Vệ Người Thuê Nhà của thành phố áp dụng cho căn hộ của quý vị. Chủ nhà phải đăng thông báo về quyền lợi của người thuê ở một không gian chung (nơi để nhìn thấy) trong tòa nhà, hoặc cung cấp cho mỗi người thuê một bản sao của thông báo này. Quý vị có thể liên lạc với Chương trình Ổn Định Giá Thuê theo số 408-975-4480 để biết thêm thông tin hoặc để yêu cầu một quyển sách hướng dẫn, hoặc truy cập www.sanjoseca.gov/rent.

注意 (CHINESE-TRADITIONAL): 您的公寓是受聖何塞市的「租客保護條例」保護的。您的房東必須在每棟公寓的公共地方張貼租客權利通知，或把此通告提供給每位租客。您可以致電408-975-4480與市政府房屋租金穩定部聯繫，您亦可以參考此網頁 www.sanjoseca.gov/rent，以獲取更多租客權利的資料。

To learn more about your rights, contact the Housing Department at 408-975-4480.

Rent Stabilization Program, City of San Jose Housing Department
200 East Santa Clara St, 13th Floor, San Jose, CA 95133 • 408-975-4480
www.sanjoseca.gov/rent • RSP@sanjoseca.gov

Eviction Process

1. Notice from Landlord

2. Court Filing

If tenant does not meet terms by the notice deadline, landlord files a Summons & Complaint (i.e., eviction forms) with the court.

3. Tenant Response

Tenant must file an Answer Form (UD-105) within 10 court days.

4. Court Trial

If the tenant responds, the parties go to trial.

Resources

Bay Area Legal Aid

1-800-551-5554

Monday, Thursday 9:30 a.m. - 3:00 p.m.

Tuesday, Wednesday 9:30 a.m.- 1:00 p.m.

Law Foundation

(408) 280-2424

Monday 9:00 a.m.- 11:30 a.m.

WALK-IN HOURS: Every Thursday from 1pm
until appointments are full

Santa Clara County Superior Court Self-Help Center

<https://santaclara.courts.ca.gov/self-help/self-help-centerflf-office>

(408) 882-2926, choose option 3

Asian Law Alliance

(408) 287-9710

991 West Hedding St, Suite 202

Monday- Friday 9:00 am- 4:00 pm

Contact Us

Call us for information or to make an appointment **OR** walk-in to our City Hall location.

Sign up for email updates at
RSP@sanjoseca.gov.

Request information on eviction process at
evictionhelp@sanjoseca.gov.

Send TPO notices, questions or comments to
TPO@sanjoseca.gov.

For more City of San Jose information, visit
www.sanjoseca.gov/housing.

Eviction Prevention Program
(408) 975-4444

Rent Stabilization Program
(408) 975-4480

San José City Hall
200 E. Santa Clara Street, 12th floor
San Jose, CA 95113

Monday- Friday
8:00 am- 5:00 pm

Engagement Survey





HOUSING DEPARTMENT

THANK YOU