



cal rentals

2610 Channing Way
Berkeley, CA 94720-2272

HOURS:
Monday–Friday,
10 a.m. – 4 p.m., excluding
official University holidays

WEB SITE:
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PHONE:
(510) 642-3644

safety in your rental

HERE ARE SOME THINGS YOU SHOULD KNOW:

THE LANDLORD'S RESPONSIBILITIES

Your landlord is obligated by law to provide certain safety features in your rental. When you rent a place from a landlord, keep in mind these essential features for basic safety. If these items are not in place or not in good working order, please bring it to your landlord's attention.

LOOK FOR:

A deadbolt lock for each main entry door. In Berkeley, the deadbolt must be one inch long.

Smoke detectors in the common areas of every apartment, every bedroom in a rooming house, and on every floor of a single-family house.

Fire extinguishers must be available on every floor of an apartment building or in every 75 feet of hallway.

Anti-theft grilles that cover windows must be able to swing open easily to allow egress from windows in the event of fire or other emergency. Additionally, windows themselves should open easily for the same reason.

Window locks on windows that are less than 12 feet above the ground or less than six feet from a roof or any other platform.

In addition, a unit must meet habitability requirements established by the California Civil Code (1941.1). Simply stated, these are:

- Roofs and walls must not leak.
- Doors and windows must not be broken
- Plumbing and gas must work.
- Hot and cold water must be provided.
- Sewer or septic system must be connected and operating.
- Heater must work and be safe.
- Lights and wiring must work and be safe.
- Floors, stairways and railings must be maintained and safe.
- Upon moving in, the rental unit must be clean, with no trash, rodents or other pests.
- Sufficient cans or bins for trash.

Plus, if your rental is in a multi-story building, your landlord should provide you with information on emergency procedures.

Landlords are required to conduct an annual safety inspection by July 1 of each year. Tenants must receive at least 24 hours advance written notice before entry for any necessary repair or inspection. The landlord is required to complete a Rental Housing Safety Program Checklist form and provide you a copy. **Click here to view the latest form.** A landlord can be fined \$200 for each unit that is not inspected each year with this form.

continued



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THE TENANT'S RESPONSIBILITIES

Tenants must keep their rental unit clean and sanitary and dispose of garbage in a clean, sanitary manner. You must also use electrical, gas and plumbing fixtures properly and keep them clean and sanitary. You may not damage or remove any part of the rental unit, facilities, equipment or common grounds.

WHAT IF YOUR RENTAL NEEDS REPAIRS OR IS MISSING SAFETY FEATURES?

First, determine the severity of the defect. Safety features should be corrected or installed as soon as possible. For example, if a smoke detector isn't working or if there isn't one on the premises, your landlord should provide one right away. On the other hand, if the heater isn't working, but is otherwise safe and the weather is warm, it is reasonable to allow a few days for the landlord to collect estimates and find someone to repair it.

Notify the landlord about the problem either in person or over the telephone. Always follow up by putting your request for repairs in writing and sign and date the notices. Having the situation in writing will look businesslike and will establish a record if there are problems later on.

If the landlord doesn't respond in a timely fashion, there are various recourses available to you. Each has its own requirements and risks too lengthy to be discussed here. To begin, you may consult one of the excellent publications available on the topic, such as the book published by Nolo Press (a local Berkeley publisher) which is titled *California Tenants' Rights*. Publications are also available on-line from the California Department of Consumer Affairs at dca.ca.gov/r_r/lanldtoc.htm.

If your rental is in Berkeley, you may consult with the Berkeley Rent Stabilization Board at 2125 Milvia Street or call a counselor at 510-981-RENT (7368). The comprehensive internet site for the rent board may be found at ci.berkeley.ca.us/rent/.