

CALIFORNIA LAW CAN HELP YOU

If you are a tenant or a household member and you're a victim of domestic violence, sexual assault, stalking, human trafficking, elder abuse, or dependent elder abuse and want to leave the property because you don't feel safe there, California law can help you.

*A household member is anyone in the tenant's family who lives in the same home as the tenant. So even if you, the tenant, are not the victim, you may still be able to end the lease early.

HERA

housing and
economic
rights advocates

Contact us:

(510) 271-8443 Ext. 300

inquiries@heraca.org

www.heraca.org

P.O. Box 29435

Oakland, CA 94604



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Are you a tenant who has been a victim of domestic violence, sexual assault, or stalking?

Do you have a protective order against your abuser?



If yes, and your abuser does not live with you, you have the right to change the locks to your home.

IF YOUR ABUSER DOES NOT LIVE WITH YOU:

If you give your landlord a written request for a lock change with a copy of the court order or a police report that shows you are the victim of domestic violence, sexual assault, or stalking, the landlord must change your locks within 24 hours.

The court order or police report cannot be more than 180 days old.

YOUR RIGHTS:

If the landlord does not change the locks within 24 hours of your written request, then you can change the locks without your landlord's consent.

The locks must be similar or better quality than the old locks and you need to give the landlord a copy of the keys. You must also let the landlord know that you changed the locks within 24 hours of the change. The locks must be changed in a "workmanlike manner" so it needs to be done by a professional locksmith or in a way that is similar to how a professional would do the job.

What if the lease says you cannot change the locks?

Even if the lease says you cannot change the locks, you still have the right to under California law, if you gave your landlord a written request for a lock change and a copy of the court order or police report showing you are a victim of domestic violence, sexual assault, or stalking.

This law is only for rental agreements entered on January 1, 2011 or later.

RIGHTS TO CHANGE THE LOCKS, EVEN IF THE ABUSER LIVES WITH YOU:

Under California Civil Code § 1941.6, you can still change the locks and keep the abuser out of the home.

When you give your landlord the written request for a lock change, you must also give the landlord a copy of the court order saying the abuser is not allowed near you and is excluded from the home.

Remember that the court order cannot be older than 180 days.

If the landlord does not change the locks within 24 hours, then you have the right to change them yourself, just like you would if the abuser did not live with you. And it's very important to remember that even though the abuser is out of the house because of the court order, if he or she is listed on the lease, the abuser still needs to pay rent. That means you will not be financially responsible for paying the whole rent just because the abuser is not allowed inside the home.