



FREE HOUSING LEGAL ASSISTANCE

# Know Your Rights

## San Jose Landlord-Tenant Law



### Security Deposit

- Must be returned within 21 days after tenant moves out.
- Cannot be commingled with other funds.
- Cannot be nonrefundable.
- Landlord must provide statement of any deduction breakdown from the security deposit.



### Eviction

- 30-days written notice is required to terminate for tenant who resides less than 1 year.
- 60-days written notice is required to terminate for tenant who resides more than 1 year.
- **Voucher holders or other subsidized housing participants** may qualify for additional protections in eviction.



### Right to written notices

- Written notice is required to increase rent, to enter tenants' unit, or to evict.
- Verbal notices are not valid.
- Contact local legal aid immediately if your landlord refuses to provide proper written notices.



### Habitability Issues

- Put in written request to your housing provider first for repairs.
- Documents the issue (take pictures, communication with landlord).
- Contact your local Code Enforcement for inspection if your landlord does not repair.

For more legal information or to make an appointment, call our Housing Intake Line at (408) 280-2424.