

Can my landlord change the lock on my door?

It is against the law for your landlord to change the lock on your door without your permission unless your landlord has:

1. A court order for your eviction;

AND

2. The sheriff has posted a notice on your door which gives you 5 days to vacate and those 5 days have expired.

One exception: If you are the only tenant in an owner-occupied home, the landlord does not need a court order to evict you. The landlord only has to give you prior written notice (one month notice if you rent month-to-month or one week notice if you rent week-to-week) ending your tenancy. The police can then help the landlord in removing you.

Can my landlord cut off utilities to force me to move?

NO. The landlord must get a court order to evict you. It is a violation of law for the landlord to try to evict you by cutting off your water, electricity, gas, elevator, or *any* utilities necessary to the use of the rental unit.

Can my landlord use or threaten violence to force me to move?

NO. The landlord must get a court order to evict you. If your landlord uses or threatens to use violence to remove you from the premises, call the police.

What should I do if my landlord locks me out?

Call the police. Ask for “civil standby.” The landlord has committed a misdemeanor by “forcible entry” into your rental unit. The police should try to convince the landlord to allow you back into your home. The landlord must follow the legal process to evict you.

If the landlord still refuses to let you back in, ask the police to write a report on the incident. You should then contact a private attorney or an attorney with a legal services agency. An attorney can call the landlord and explain the law to him or her. If the landlord is still not convinced, the attorney can be in court within a day or two for an order giving you back possession of the rental unit and money damages.

What money damages can the court order?

The court can order the landlord to pay you:

1. Your actual damages (any money you had to spend because you were locked out, including cost of other housing, court filing fees, etc.);
2. Up to \$100 per day for each day you were locked out and not less than \$250.00; and,
3. Your attorney's fees.

For more information, call:

Bay Area Legal Aid
(650) 358-0745

Bay Area Legal Aid
San Mateo County Office
2287 So. El Camino Real
San Mateo, CA 94403

**CAN MY LANDLORD
EVICT ME WITHOUT
TAKING ME TO COURT?**



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