

JUST CAUSES FOR EVICTION: KNOW YOUR RIGHTS



David S. Costello
Contributing Writer

Assuming you have a current lease or rental agreement, a landlord can only evict you for a specified reason, referred to as 'Just Cause'. As per the non-profit San Francisco Tenant's Union website, Just Causes include:

1. Nonpayment of rent, habitual late payment, or frequent bounced checks.
2. Breach (violation) of a term of the rental agreement that has not been corrected after written notice from the landlord.
3. Nuisance or substantial damage to the unit (waste), or "creating a

substantial interference with the comfort, safety, or enjoyment of the landlord or other tenants in the building."

4. Illegal use of the unit. This just cause may not be used to evict a tenant from an illegal residential unit.
5. Termination of the rental agreement and the tenant refuses to execute a written extension for materially the same terms.
6. The tenant has, after written notice to cease, refused the landlord access to the unit as required by law.
7. Unapproved subtenant is the only person still remaining in the unit.
8. Move-in of the landlord or a close relative of the landlord.
9. Sale of a unit which has been converted to a condo. Seniors and permanently disabled tenants cannot be evicted for condo conversions. Tenants have a right to a 1-year lease or 120 days with relocation payments.
10. Demolition or removal of the unit from housing use.
11. Capital improvements or rehabilitation with all the necessary permits that allows temporary removal of the unit from housing use. The tenant

has the right to re-occupy the unit once the work is completed at the prior rent.

12. "Substantial rehabilitation" of a building that is essentially uninhabitable with all the necessary permits.
13. Ellis Act evictions, which require withdrawal from rental housing use all of the units in the building or a unit detached from another structure on the same lot (e.g. a cottage).
14. Lead abatement as required by the San Francisco Health Code with temporary removal of the unit from housing use for less than 30 days.
15. Demolition or to otherwise permanently remove the rental unit from housing use in accordance with the terms of a development agreement entered into by the City under Chapter 56 of the San Francisco Administrative Code.
16. Good Samaritan Occupancy Status for the tenant expires, and the landlord serves an eviction notice within 60 days after expiration of the status. The Good Samaritan Occupancy Status is when a tenant loses their home due to a disaster and the landlord rents another temporary unit to the tenant for low rent.



Tenants who are evicted for "no-fault" causes, including capital improvements, demolition, Ellis Act owner move-in, or substantial rehabilitation, have a right to relocation payments as determined by the SF Rent Ordinance.

The San Francisco Board of Supervisors passed Ord. No. 216-20, which was later extended, that prohibits the eviction of residential tenants before September 30, 2021, unless the eviction is based on the non-payment of rent (in which case the statewide eviction protections described below apply), the Ellis Act, or is necessary due to violence-related issues or health and safety issues.

It is important to note that many such eviction attempts are done improperly and may be successfully defended. A handbook providing all of your defenses is available for download by visiting the San Francisco Tenant's Union's website: www.sftu.org/tenants-rights-handbook (membership required).

DAVID COSTELLO
Global Real Estate Advisor
david-costello@compass.com
ACTCompass.com

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