

How Do I Know If My Rent Increase is Legal?

CAN MY LANDLORD INCREASE MY RENT?

- If you are in a month-to-month lease, your landlord can increase your rent as long as they provide written notice before the increase. If the **increase is 10% or less**, the landlord must give you a **30-day notice** of the rent increase. If the **increase is more than 10%**, your landlord must give you a **90-day notice** of the rent increase.
- If you are in a fixed-term lease for more than 30 days, your rent cannot be increased during the term of the lease, unless the lease allows rent increases.

CAN MY LANDLORD GIVE ME VERBAL NOTICE ABOUT A RENT INCREASE?

- A landlord's notice of a rent increase **must be in writing**. The landlord can deliver a copy to you personally or by first-class mail.

IS THERE A LIMIT ON THE ALLOWABLE RENT INCREASE AMOUNT?

- In California, there is generally no limit on the amount the landlord can increase your rent at one time or in one year.
- However, a new law was passed in October 2019, **AB 1482**, which provides protections for many renters throughout California starting on January 1, 2020.
- Under AB 1482, if your unit is covered by the new law, your landlord can only increase your rent by about 8.3% per year (in Santa Clara County).
- Visit: lawfoundation.org/ab1482 for more information or ask for our flyer on AB 1482.

I LIVE IN SAN JOSE. DO I HAVE EXTRA PROTECTIONS?

- Some buildings in San Jose are covered by **San Jose's Apartment Rent Ordinance**.

- San Jose's Apartment Rent Ordinance protects San Jose tenants who live in apartment buildings with 3 or more units built before 1979.
- For tenants who live in units covered by San Jose's Apartment Rent Ordinance, rent increases may only be given **once in a 12-month period**. The maximum annual allowable **increase is 5%**.
- **If you live in a unit covered by the Apartment Rent Ordinance and you believe your landlord has illegally increased your rent, you can file a petition with the Rent Stabilization Program.**

I LIVE IN MOUNTAIN VIEW. DO I HAVE EXTRA PROTECTIONS?

- Some buildings in Mountain View are covered by the **Mountain View Community Stabilization and Fair Rent Act**.
- Mountain View's Community Stabilization and Fair Rent Act protects Mountain View tenants who live in apartment units built before 1995.
- If you live in a covered unit, **your rent can only be increased to account for inflation** (as measured by the Consumer Price Index). In 2019, that is 3.5%.

I HAVE A VOUCHER AND/OR LIVE IN SUBSIDIZED HOUSING. ARE MY RIGHTS THE SAME?

- If you have a voucher or live in subsidized housing, you may have different rights related to rent increases. You should reach out to an attorney or the appropriate housing agency to find out about your rights.

WHAT CAN I DO IF MY LANDLORD GIVES ME AN ILLEGAL RENT INCREASE?

- You can try to dispute a rent increase with your landlord by writing a letter listing the reasons you believe the rent increase is illegal. If you are unable to resolve the issue on your own, you can **call the Law Foundation of Silicon Valley at (408) 280-2424** for legal information and advice on your rights as a tenant.

This information sheet is intended to provide accurate, general information regarding legal rights. It does not constitute legal advice. Because laws and legal procedures are subject to frequent change and differing interpretations, the Law Foundation of Silicon Valley cannot ensure this information sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.