



# What are my rights as a single lodger?

## AM I A LODGER?

A "lodger" is a tenant renting a room in an owner-occupied housing unit, where no other tenants are living, and the owner has overall control of the unit.

## WHAT RIGHTS DO I HAVE AS A LODGER?

A lodger's living arrangement must be terminated by written notice, either from the owner or the lodger. The notice to terminate should give the lodger an amount of time equal to the length of the rental payment period.

For example, if the lodger pays rent weekly, the notice should give seven days before termination of the lease. For month-to-month tenancies, at least 30 days written notice is required.

The notice must be served personally on the lodger or posted and mailed. The notice may also be served by certified or registered mail, restricted delivery, return receipt requested.

## DOES MY LANDLORD HAVE TO GO THROUGH THE EVICTION PROCESS TO KICK ME OUT?

No, lodgers are not entitled to the eviction process. Once written notice expires, the lodger is considered a trespasser. The owner can lock-out the lodger or call the police to remove the lodger.

**Please keep in mind, this informational sheet only applies to owner-occupied housing units where a single lodger resides.** If you have any questions about your status as a lodger, contact the Law Foundation of Silicon Valley at (408) 280-2424.

**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 the information in 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 situation.