



KNOW YOUR RIGHTS: **Asking Your Landlord to Make Repairs**

Does my landlord have to repair everything?

- No. Generally, a landlord must repair issues that make a house uninhabitable (not safe to live in), unless you or your guest caused the issue.¹
- Also, depending on your lease, your landlord may be responsible for other types of repairs.
- Learn more about habitability (safe housing) issues in [Know Your Rights: Safe Housing for Tenants](#).

When should I ask my landlord to fix something in my unit?

- Once you notice something in your unit needs to be fixed, you should ask your landlord to repair it. They can't fix something they don't know is broken.
- If you don't tell your landlord about an issue and then the issue gets worse or causes more damage, you may have to pay for all the repairs.²

How do I ask my landlord to fix something?

- Ask your landlord for repairs in writing with photos or videos of the issue needing to be fixed.
- Save copies of all the communications (letters, text messages, emails, pictures) with your landlord to show when you asked for repairs and how your landlord responded.
- If the issue you need fixed makes the house uninhabitable, you can ask for the repair with the below template letter "[Request for Repair: Habitability Issue](#)."

- If the repair is not related to habitability, you can ask for the repair with the below template letter "[Request for Repair: Non-Habitability Issue](#)"

How fast should my landlord make a repair after I ask?

- Landlords must make repairs of habitability or safe housing issues in a "reasonable" time.³
- The length of "reasonable" time depends on the repair.⁴
- For example, the reasonable time to repair a broken heater in the summer is likely longer than the winter.

If a person who abused me damages my unit, do I need to pay to fix the damage?

- Maybe. You generally are only responsible for damage you or your guests cause.⁵
- A guest is someone you invite onto the property.
- Here are two scenarios that may apply to you:

Scenario 1: *The person who abused me came to my unit without my permission and damaged my unit. I did not invite them in.*

- Because the person was not your guest, you shouldn't be responsible for repairing the damage.
- You can ask your landlord to repair damage caused by the uninvited person with one of the below template letters:
 - [Request for Repair: Habitability Issue](#)
 - [Request for Repair: Non-Habitability Issue](#)

¹ *Green v. Superior Court* (1974) 10 Cal.3d 616, 637-638., Civ. Code § 1941.2.

² Civ. Code §§ 1929, 1941.2.

³ Civ. Code § 1942, subd. (a).

⁴ Civ. Code § 1942, subd. (b).

⁵ Civ. Code § 1941.2, subd. (a)(4).



Scenario 2: *The person who abused me damaged my unit after I invited them in.*

- Because the person who abused you was your guest, you are responsible for the damage.⁶
 - But if you let someone in because they threatened you or forced you, they're not a guest.
- Even if you are responsible for the repairs, you can ask your landlord to make them with one of the templates below:
 - [Request for Repair: Habitability Issue](#)
 - [Request for Repair: Non-Habitability Issue](#)
- If you must pay for the damage caused by a guest who abused you, here are some options you may have to get money for the repairs:
 - (1) You may ask the court to order the person who abused you to pay for repairs in a Domestic Violence Restraining Order request.⁷ You can do this on the DV-100 form under Section 23 called "Pay Expenses Caused by the Abuse."
 - (2) You may sue the person who abused you for the cost of the damages in small claims (for up to \$12,500) or in civil court.⁸ Learn about small claims court at <https://selfhelp.courts.ca.gov/small-claims-california>.
 - (3) You may be able to get financial help from a domestic violence organization. Find your local organization on California Partnership

to End Domestic Violence's website at <https://www.cpedv.org/find-help/>.

- (4) You may be able to get financial help from the California Victim Compensation Board. Learn more at <https://victims.ca.gov/for-victims/>.

- A lawyer or DV advocate may be able to help you decide the right option for you.

What can I do if my landlord does not make a needed repair?

- If a landlord does not fix a habitability issue in a reasonable amount of time, talk with an attorney to figure out the best option for you.
 - You should talk to an attorney before acting because some options have significant risks. Find your local legal aid at www.lawhelpca.org/.
- Your options may include:
 - calling code enforcement,
 - repairing the issue on your own and deducting the cost from rent,⁹
 - moving out before your lease ends,¹⁰
 - withholding rent,
 - filing a lawsuit against the landlord for not making the repairs.¹¹
- California Department of Real Estate's "[California Tenants – A Guide to Residential Tenants' and Landlords' Rights and Responsibilities](#)" may help you understand your options.¹²

⁶ Civ. Code § 1941.2, subd. (a)(4).

⁷ Fam. Code §§ 6324, 6340, subd. (a)(1).

⁸ Code Civ. Proc., §§ 86, subd. (a), 88, 116.220 & 116.221; Civ. Code, § 3333.

⁹ Civ. Code, § 1942.

¹⁰ Civ. Code, § 1942.

¹¹ Civ. Code, § 1942.4.

¹² https://www.dre.ca.gov/publications/ResourceGuidebook/2026_Landlord_Tenant_Guide.pdf



Is my landlord allowed to punish me for asking them to make a repair?

- No, a landlord is not allowed to evict you, raise your rent, or otherwise punish you because you asked them to fix something.¹³
- For example, a landlord isn't allowed to start charging you for parking or report you to immigration authorities because you asked for a repair.¹⁴
 - Learn about immigrant tenants' housing rights in [Know Your Rights: Housing Rights for Immigrants](#).

¹³ Civ. Code, § 1942.5.

¹⁴ Civ. Code, § 1942.5, subd. (c).

Template Letter: Request for Repair: Habitability Issue Instructions

1. You can download this template in a word document by clicking this [link](#).
2. Delete instructions, highlights and brackets i.e. [] before giving your letter to the landlord.
3. Fill out the highlighted sections.
4. Date and sign the letter.
5. Save a copy or picture of the letter and attachment(s) for your records.
6. Give or send the completed letter and attachment(s) to the landlord.
7. If the landlord does not respond to you, reach out to them.

[Date]

[Property Management/Landlord Name]

[Type Property Management/Landlord Company]

[Property Management/Landlord Address]

Re: Request for Repair at [insert housing address here]

Dear [Property Management/Landlord Name]:

I am writing to ask you to repair the following issue(s) in my unit. [Insert: Details about the issue(s) you want your landlord to repair including when the issue(s) started. Example include:

- “I haven’t had hot water in my unit since Tuesday, July 2.”
- “A window on the side of the house has been broken since May 4th.”
- “On May 12, someone broke down my front door and now it doesn’t lock properly.”
- “There are cockroaches in my unit. I first noticed them around August 3rd.”

Look at FVAP’s “[Know Your Rights: Safe Housing for Tenants](#)” for more examples of habitability issues. Look at your lease for other things your landlord might be responsible for repairing, like light fixtures, appliances, etc.]

As you may know, tenants have the right to habitable housing. (*Green v. Superior Court* (1974) 10 Cal.3rd 616, 637-638; Civ. Code, § 1941.) There are certain requirements under California law that must be met for a home to be habitable. (Civ. Code, § 1941.1.) Landlords are responsible for making repairs of any uninhabitable conditions. (*Green v. Superior Court* (1974) 10 Cal.3rd 616, 637-638.) Currently, my home is uninhabitable because [Insert: Short summary

of the issues.]. **[Insert if true: Neither myself nor my guests caused the issue that needs repair.]**

Because this makes my home uninhabitable, you must make the repair in a timely manner. (Civ. Code, § 1942, subd. (a).) **[Insert if issue is urgent and needs to be fixed immediately (examples: no running water or no electricity or sewage spilling in home):** Because this issue is urgent, you must repair it immediately.] Further, you must give me at least 24 hours written notice before entering the home to make these repairs, unless we agree otherwise. (Civ. Code, § 1954).

Please be aware that California law makes it illegal for landlords to retaliate against a tenant who has exercised their right to maintain habitable housing or other housing rights. (Civ. Code, § 1942.5.) As such, please do not try to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

[Optional to insert: Further, I have various legal remedies if you do not make these repairs or if you retaliate against me for requesting repairs. I intend to assert my legal rights if necessary.] Thank you in advance for your time and cooperation.

Sincerely,

[Include Tenant's Signature Here]

[Type Tenant's Name Here]

Attached: **[List the supporting documents you are attaching, such as pictures of issues you need repaired or code enforcement documents.]**

Template Letter:
Request for Repair: Non-Habitability Issue

Instructions:

1. You can download this template in a word document by clicking this [link](#).
2. Delete instructions, highlights and brackets i.e. [] before giving your letter to the landlord.
3. Fill out the highlighted sections.
4. Date and sign the letter.
5. Save a copy or picture of the letter and attachment(s) for your records.
6. Give or send the completed letter and attachment(s) to the landlord.
7. If the landlord does not respond to you, reach out to them.

[Insert Date]

[Property Management/Landlord Name]

[Property Management/Landlord Company]

[Property Management/Landlord Address]

Re: Request for Repair at [insert housing address here]

Dear [Property Management/Landlord Name]:

I am writing to ask you repair the following issue(s) in my unit: [Insert: Details about the issue(s) you want your landlord to repair including when the issue(s) started. Example include:

- "The microwave stopped working on Tuesday, November 2."
- "My air conditioner hasn't worked since June 24th."
- "The lock on my bedroom door is jammed and hasn't worked for a week."
- "There is a hole in my living room wall from when my ex threw something around March 12."

[Insert if true: As stated in our rental agreement, you agreed to repair [insert: language from your lease or rental agreement that states what your landlord must repair, for example: light fixtures, the dishwasher, kitchen appliances, the air conditioner.] [Insert if true: Neither myself nor my guests caused the issue that needs repair.] Please repair these issues in a timely manner. Further, you

must give me at least 24 hours written notice before entering the home to make these repairs, unless we agree otherwise. (Civ. Code, § 1954.)

Please be aware that California law makes it illegal for landlords to retaliate against a tenant who exercised their housing rights, such as their right to maintain habitable housing. (Civ. Code, § 1942.5.) As such, please refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

[Optional to insert: Further, I have various legal remedies if you do not make these repairs or retaliate against me for requesting repairs. I intend to assert my legal rights if necessary.] Thank you in advance for your time and cooperation.

Sincerely,

[Include Tenant's Signature Here]

[Type Tenant's Name Printed Here]

Attached: **[List the supporting documents you are attaching, such as pictures of the issues you need repaired.]**