



KNOW YOUR RIGHTS: Affordable Housing and Rent Control¹

What is affordable housing?

Affordable housing is housing that is less expensive than market rate housing, which is full priced housing. Housing may be affordable housing because it is subsidized by a government agency or an organization. It may also be affordable because it is under rent control. Subsidized housing and rent control are explained below.

A landlord usually sets the rent in market rate housing by looking at the housing market and economy.

What is subsidized housing?

Subsidized housing is rental housing that rents for less than market rate because an organization or governmental agency pays for part of the housing costs. Sometimes the organization or government agency subsidizes the housing by paying part or all of a tenant's rent. Other times housing is subsidized through grants, tax credits or private donations given to the housing provider to cover some of the housing costs. Because the housing costs are not fully covered by tenants' rent, the housing provider can keep rents lower than the market rate.

How do I know if housing is subsidized?

If you have a lease, it will likely say if your housing is subsidized. You can see if housing is federally subsidized at <https://nhpd.preservationdatabase.org>. You must register on the website to access information about subsidized housing. Registering and accessing the website's information is free for individuals and people connected with non-profits, universities, and the government.

How can I find affordable housing?

You may find a Low-Income Housing Tax Credit property at <https://lihtc.huduser.gov/>. Low-Income Housing Tax Credit is a type of subsidized housing. You may also be able to find affordable housing at <https://affordablehousingonline.com>, which lists

¹ This tip sheet provides an overview of affordable housing and does not cover every type of affordable housing in California.



affordable housing by city. This is not a comprehensive list of resources and local service providers likely have more housing resources.

What is rent control?

Rent control is a type of law that limits how much landlords can legally raise rents. California has a statewide rent control law that limits how most landlords can raise rent each year.² Also, some California cities and counties have their own rent control laws. The type of housing units protected by a city or county's rent control and the amount a landlord may raise the rent each year varies.

How do I know if I am **protected by California's statewide rent control?**

You are protected by the statewide rent control unless you live in one of the following:

- A single-family home or mobile home owned by individual(s), not corporation(s).
- A property covered by local rent control that only allows smaller rent increases than the statewide rent control law.
- A property constructed in the past 15 years unless it is a mobile home.
- Affordable housing subject to a deed restriction, regulatory agreement, or other agreement with a governmental agency.
- A dorm.
- A duplex where the owner lives in the other unit.³

How much can my rent increase under **California's** statewide rent control?

If a property is covered by the statewide rent control, the landlord cannot raise the rent more than either 10% or 5% plus the percentage change in the cost of living, whichever amount is less, in any twelve-month period.⁴

How do I know if a unit is covered by a city or county rent control?

You can find out if a unit is under rent control by visiting your county or city's website. The website should say if the the city or county has a rent control ordinance. The website or ordinance should explain what units are covered by rent control.



How do I get more help?

Contact FVAP at info@fvaplaw.org or (510) 380-6243 for questions.

² Civ. Code, § 1947.12.

³ *Id.* at § 1947.12, subd. (d).

⁴ *Id.* at § 1947.12, subd. (d).