

Locks Changes for Survivors in California

A tenant who experiences abuse or violence is entitled to a locks change under California Civil Code sections 1941.5 and 1941.6. When a tenant gives their landlord a written request with proper documentation, the landlord must change the locks within 24 hours. This *Locks Changes for Survivors in California* toolkit helps survivors and advocates learn about and use the laws that give tenants the right to a locks change. This toolkit also includes template (fill-in-the-blank) letters that survivors and their advocates can use to explain and demand their rights.

Locks Changes When You Do NOT Live with the Person Who Committed Abuse or Violence

1. [Know Your Rights: Changing Your Locks When You Do NOT Live with the Person Who Committed Abuse or Violence](#)
2. [Template Letter: Locks Change Request – When You Do NOT Live with the Person Who Committed Abuse or Violence](#)
3. [Template Letter: Qualified Third-Party Statement – Locks Change](#)
4. [Template Letter: Tenant Signed Statement – Locks Change](#)
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Locks Changes When You Live with the Person Who Harmed You

7. [Know Your Rights: Changing Your Locks When You Live with the Person Who Harmed You](#)
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KNOW YOUR RIGHTS: **Changing Your locks When You Do NOT Live with the Person Who Committed Abuse or Violence**

Can I change my locks if someone I don't live with commits abuse or violence against me?

- Yes, if you, your *household member* or your *immediate family member* experienced abuse or violence and the person who committed the abuse or violence is **not** a tenant in the same home as you, you can make your landlord change your locks.¹
 - A **household member** is a family member you live with.²
 - An **immediate family member** is a parent, stepparent, spouse, child, child-in-law, stepchild, sibling or person who is like immediate family to you.³
- If you were harmed by someone you live with, learn how to get your locks changed in the below resource, [KNOW YOUR RIGHTS: Changing Your Locks When You Live with the Person Who Harmed](#).

What is “abuse or violence”?

- domestic violence
- sexual assault
- stalking
- human trafficking
- elder or dependent adult abuse
- crimes that caused injury
- crimes that involved a deadly weapon
- crimes that involved force or threat of force⁴

How do I ask my landlord to change my locks?

- To ask for a locks change, you must give your landlord a letter telling them to change your locks. You must also give your landlord documentation showing that you, your household member, or immediate family member experienced abuse or violence.⁵ Use the below template, [Locks Change Request – When You Do NOT Live](#)

¹ Civ. Code, § 1941.5.

² Civ. Code, § 1941.5, subd. (f)(4).

³ Civ. Code, § 1941.5, subd. (f)(5).

⁴ Civ. Code, § 1941.5, subd. (f)(1).

⁵ Civ. Code, § 1941.5, subd. (b) &(d).

[with the Person Who Committed Abuse or Violence](#), to ask for a locks change.

What documents can show my household member, immediate family member or I experienced abuse or violence?

- You can choose any of these documents:
 1. A **restraining order or protective order** protecting the survivor.
 2. A **police report** saying that a tenant, or their family member filed a report saying they experienced abuse or violence.
 3. A **Qualified Third-Party Statement**, which is a letter from a qualified third-party saying that a tenant received services and said they or their family member experienced abuse or violence. You can use the below template, [Qualified Third-Party Statement – Locks Change](#) as the third-party statement.
 4. Any other documentation that reasonably verifies the abuse or violence, including your own signed statement.⁶ You can use the below template, [Tenant Signed Statement – Locks Change](#) for your signed statement.

Who are qualified third parties?

- Sexual Assault Counselors
- Domestic Violence Counselors
- Human Trafficking Caseworkers
- Victim of Violent Crime Advocates
- Doctors
- Registered Nurses
- Psychiatrists
- Psychologists
- Licensed Clinical Social Workers
- Licensed Marriage & Family Therapists
- Licensed Professional & Clinical Counselors⁷

When does my landlord have to change the locks?

- Your landlord must change the locks within 24 hours after getting a written request with the right documentation.⁸

⁶ Civ. Code, § 1941.5, subd. (d).

⁷ Civ. Code, § 1941.5, subd. (f)(7).

⁸ Civ. Code, § 1941.5, subd. (b).

What can I do if my landlord does not change the locks within 24 hours?

- If your landlord does not change the locks within 24 hours of getting a written request with right documentation, you can change the locks. You can do this even if the lease says you are not allowed to change the locks. If you change the locks, you must tell the landlord within 24 hours of changing the locks. You must also give your landlord a copy of the new key and the locks must be the same or better quality as the old locks.⁹

Who pays for the locks change?

- Your landlord must pay for the locks change.¹⁰ If you change the locks on your own, your landlord has 21 days after you change your locks to reimburse you for the cost of the locks change.¹¹

What can I do if the landlord refuses to pay for the locks change?

- If your landlord does not pay for the locks change, **talk with an attorney to figure out the best option for you.** For help finding an attorney, locate your local legal aid organization at <https://www.lawhelpca.org/>.
- Your options include:
 1. Writing a letter to the landlord telling them to stop violating your rights. You can use the below template letters [Demanding Landlord Pay for Locks Change when Survivor Does NOT Live with Person Who Committed Abuse or Violence](#) and [Demanding Landlord Reimburse for Locks Change when Survivor Does NOT Live with Person Who Committed Abuse or Violence](#).
 2. Suing your landlord for the locks change costs in small claims court.¹² Learn more about small claims court [at the California Courts website here](#) or use this footnote's URL.¹³

⁹ Civ. Code, § 1941.5, subd. (c).

¹⁰ Civ. Code, § 1941.5, subd. (b).

¹¹ Civ. Code, § 1941.5, subd. (c)(2)(A).

¹² Code Civ. Proc., § 116.220.

¹³ <https://selfhelp.courts.ca.gov/small-claims-california>



How do I get more help?

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

Template: Locks Change Request – When You **Do NOT** live with the Person Who Committed Abuse or Violence

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. Make a copy or take a 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]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Request for Locks Change

Dear [Insert: Name of Landlord / Property Manager's Name]:

I am a tenant living at [insert: unit's address]. [insert one: I or My household member or My immediate family member] experienced [insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, a crime that caused bodily injury or death, a crime that involved a deadly weapon or a crime that included the use of force or a threat of force], so I am requesting you change my locks.

If a tenant or their household member experiences abuse or violence by someone who is not a co-tenant, the tenant may require the landlord to change their locks at the landlord's expense. (Civ. Code, § 1941.5.) Abuse or violence is domestic violence, sexual assault, human trafficking, stalking, elder or dependent adult abuse or a crime that caused injury, involved a gun or other deadly weapon or involved force or threat of force. (Civ. Code, § 1941.5, subd. (f)(1).) To get a locks change, the tenant must give their landlord written notice and documentation that shows they, their

household member or immediate family member experienced abuse or violence. (Civ. Code, §§ 1941.5, subds. (a) & (b).) The tenant chooses one of these four types of documentation to give their landlord: (1) a copy of a restraining order, (2) a copy of a police report, (3) a letter from a qualified third party, or (4) any other document that reasonably verifies the abuse or violence occurred, which includes a signed statement from the eligible tenant. (Civ. Code, § 1941.5, subd. (d).)

The landlord must change the locks within 24 hours of receiving the tenant's written request and documentation. (Civ. Code, § 1941.5 subd. (b).) The landlord must pay for the locks change. (Civ. Code, § 1941.5 subd. (b).) If the landlord does not change the locks within 24 hours of receiving the written request and documentation, the tenant may change the locks. (Civ. Code, at § 1941.5 subd. (c).) If the tenant changes the locks, the landlord must reimburse the tenant for the cost of the locks change no later than 21 days after the locks were changed. (Civ. Code, § 1941.5, subd. (c)(2)(A).)

I attach **[insert one of the following: a copy of a restraining order; a copy of a police report; a letter from a qualified third party verifying the abuse or violence; documentation reasonably verifying the abuse or violence]**. Pursuant to Civil Code section 1941.5 the attached document verifies that **[insert one: I or my household member or my immediate family member]** experienced **[insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, a crime that caused bodily injury or death, a crime that involved a deadly weapon or a crime that included the use of force or a threat of force]**, which is abuse or violence. Therefore, you must change my locks within 24 hours of receiving this written request and documentation of abuse or violence. If the locks are not changed within 24 hours, I may change the locks on my own and ask for reimbursement for the costs of the locks change.

Thank you in advance for your understanding and cooperation in this matter.

Sincerely,

[Survivor's Signature] _____

[Survivor's Name Printed]

Attached: **[Include at least one the following 4 document(s) verifying you or a household member experienced abuse or violence: (1) a copy of a restraining order, (2) a copy of a police report, (3) a letter from a qualified third party, or (4) a document that reasonably verifies the abuse or violence occurred.]**

Template: Qualified Third-Party Statement – Locks Change when Survivor **Does NOT** Live with Person Who Committed Abuse or Violence

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. Part I of the template must be completed by the tenant.
4. Part II of the template must be completed by a qualified third party.
 - a. If the qualified third party is a domestic violence counselor, sexual assault counselor, human trafficking caseworker or victim of violent crime advocate, then both Part I and Part II must be written on the third-party's organization's letterhead.
 - b. If the qualified third-party is a California licensed physician, surgeon, registered nurse, psychiatrist, psychologist, clinical social worker, marriage and family therapist, or professional clinical counselor, the letter does not need to be on letterhead.
5. Highlighted sections must be filled out.
6. Date and sign the letter.
7. Make a copy or take a picture of the letter and attachment(s) for your records.
8. Give or send the completed letter and attachment(s) to your landlord.
9. If your landlord does not respond, reach out to them.

Tenant Statement and Qualified Third Party Statement under Civil Code Section 1941.5

Part I. Statement By Tenant

[If a sexual assault counselor, domestic violence counselor, human trafficking caseworker or victim of violent crime advocate completes Part II, then both Part I and Part II must be written on the advocate's organization's letterhead.]

I _____ **[insert name of tenant]**, state as follows:

I, my immediate family member, or a member of my household, have been a victim of:

[Insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, or a crime that caused bodily injury or death, a crime that included the exhibition, drawing, brandishing, or use of a firearm or other deadly weapon or instrument, or a crime that included the use of force against the victim or a threat of force against the victim].

The most recent incident(s) happened on or about: _____.
[Insert date or dates.]

The incident(s) was/were committed by the following person(s), with these physical description(s), if known and safe to provide:

_____. **[If you know and it is safe to provide your abuser(s) name(s) and physical description(s), insert here]**

Signature of Tenant

Date

Part II. Qualified Third Party Statement

[If a sexual assault counselor, domestic violence counselor, human trafficking caseworker or victim of violent crime advocate completes Part II part, then both Part I and Part II of the letter must be written on the advocate's organization's letterhead.]

I, _____ **[Insert name of qualified third party]**, state as follows:

My business address and phone number are: **[insert business address and phone number]**

[Check and complete one of the following:]

____ I meet the requirements for a sexual assault counselor provided in Section 1035.2 of the Evidence Code and I am either engaged in an office, hospital, institution, or center commonly known as a rape crisis center described in that section or employed by an organization providing the programs specified in Section 13835.2 of the Penal Code.

____ I meet the requirements for a domestic violence counselor provided in Section 1037.1 of the Evidence Code and I am employed, whether financially compensated or not, by a domestic violence victim service organization, as defined in that section.

____ I meet the requirements for a human trafficking caseworker provided in Section 1038.2 of the Evidence Code and I am employed, whether financially compensated or not, by an organization that provides programs specified in Section 18294 of the Welfare and Institutions Code or in Section 13835.2 of the Penal Code.

____ I meet the definition of "victim of violent crime advocate" provided in Section 1946.7 of the Civil Code and I am employed, whether financially compensated or not, by

an agency or organization that has a documented record of providing services to victims of violent crime or provides those services under the auspices or supervision of a court or a law enforcement or prosecution agency.

____ I am licensed by the State of California as a:

_____ [insert one of the following: physician and surgeon, osteopathic physician and surgeon, registered nurse, psychiatrist, psychologist, licensed clinical social worker, licensed marriage and family therapist, or licensed professional clinical counselor] and I am licensed by, and my license number is:

_____. [Insert name of state licensing entity and license number.]

The person who signed the Statement By Tenant above stated to me that the person, or a member of their immediate family, or a member of their household, is a victim of:

_____. [insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, a crime that caused bodily injury or death, a crime that included the exhibition, drawing, brandishing, or use of a firearm or other deadly weapon or instrument, or a crime that included the use or threat of force against the victim.]

The person further stated to me the incident(s) occurred on or about the date(s) stated above.

Signature of Qualified Third Party

Date

Template: Tenant Signed Statement – Locks Change when Survivor **Does NOT** Live with Person Who Committed Abuse or Violence

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. Highlighted sections must be filled out.
4. Date and sign the letter.
5. Make a copy or take a picture of the letter for your records.
6. Give the landlord the completed letter with the above [Template Letter: Locks Change Request – When You Do NOT Live with the Person Who Committed Abuse or Violence](#).
7. If your landlord does not respond, reach out to them.

[Insert: Date]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Signed Statement Verifying Abuse or Violence

Dear [Insert: Name of Landlord / Property Manager's Name]:

I am a tenant living at [insert: unit's address]. [insert one: I or My household member or My immediate family member] experienced [insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, a crime that caused bodily injury or death, a crime that involved a deadly weapon or a crime that included the use of force or a threat of force]. Below is my documentation of abuse or violence; a signed statement as allowed under California law. (Civ. Code, § 1941.5, subd. (d)(4).)

I [insert: name of tenant], state as follows:

I, my immediate family member, or a member of my household, have been a victim of: **[Insert one or more of the following: domestic violence, sexual assault, stalking, human trafficking, elder abuse, dependent adult abuse, or a crime that caused bodily injury or death, a crime that included the exhibition, drawing, brandishing, or use of a firearm or other deadly weapon or instrument, or a crime that included the use of force against the victim or a threat of force against the victim].**

The most recent incident(s) happened on or about: **[Insert: date or dates.]**

[Insert one of the following:

- **“The incident(s) was/were committed by the following person(s), with these physical description(s), [insert names and/or descriptions of people who committed abuse or violence]” or**
- **“It is not safe for me to disclose the name(s) or description(s) of the person/people who committed the abuse or violence” or**
- **“I do not know the person who committed the abuse or violence.”]**

Signature of Tenant

Date

Template: Demanding Landlord Pay for Locks Change when Survivor **Does NOT** Live with Person Who Committed Abuse or Violence

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. Make a copy or take a picture of the letter and attachment for your records.
6. Give or send the completed letter and attachment to the landlord.
7. If the Landlord does not respond to you by the date in your letter, reach out to them.

[Insert: Date]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Requesting Landlord Pay for Locks Change

Dear [Insert: Name of Landlord or Property Manager]:

I am a tenant at [insert: address]. On [insert: date you asked for the locks change] I requested that you change my locks. I provided you with a written request and documentation that shows [insert: "I" or "my household member" or "my immediate family member"] experienced abuse or violence. On [insert: date that the landlord requested that you pay for the locks change] you [insert: "refused to change my locks until I paid for the locks change" or "asked me to reimburse you for the locks change"]. As explained below, as the landlord, you are responsible under California law for paying for the locks change. I therefore request you immediately rescind your request for payment [insert if applicable: and change my locks].

A tenant who asks in writing and with proper documentation is entitled to have their locks changed under Civil Code section 1941.5. If a tenant gives their landlord a written request with the proper documentation, the landlord is required to change the locks, **at the landlord's expense**, within 24 hours of receiving the written request and documentation. (Civ. Code, § 1941.5 subd. (b).) Proper documentation when the tenant does not live with the person who committed abuse or violence, is a document that shows the tenant, their household member or their immediate family member experienced abuse or violence. (Civ. Code, § 1941.5, subds. (a) & (b).) The tenant chooses one of these four types of documents to show abuse or violence occurred: (1) a copy of a restraining order, (2) a copy of a police report, (3) a letter from a qualified third party, or (4) a document that reasonably verifies the abuse or violence occurred, like a self-certified statement. (Civ. Code, § 1941.5, subd. (d).) The law is clear that a landlord must pay for the costs of the locks change. (Civ. Code, § 1941.5 subd. (b).)

Because I provided you with a written request and documentation that shows [insert: "I" or "my household member" or "my immediate family member"] experienced abuse or violence, you must change my locks at your expense. At this time, I request that you immediately [insert: "change my locks at your expense" or "stop asking me to pay for the locks change"]. If I do not receive a response from you within [insert: time frame based on urgency, for example "48 hours" may be appropriate if you need the locks changed immediately for your safety, and "one week" may be appropriate if you need the landlord to stop asking you to reimburse them for the locks change], I may take further legal action.

Thank you for your attention to this matter.

Sincerely,

[Tenant's Signature] _____

[Tenant's Name Printed]

Attachments: [list any documents you are attaching, such as a copy of the request for locks change with your documentation of abuse or violence.]

Template: Demanding Landlord Reimburse for Locks Change when Survivor **Does NOT** Live with Person Who Committed Abuse or Violence

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. Make a copy or take a picture of the letter and attachment for your records.
6. Give or send the completed letter and attachment to the landlord.
7. If the Landlord does not respond to you by the date in your letter, reach out to them.

[Insert: Date]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Requesting Reimbursement for Cost of Locks Change

Dear [Insert: Name of Landlord or Property Manager]:

I am a tenant at [insert: your address]. On [insert: date you asked for the locks change] I requested that you change my locks by providing you with a written request and documentation of abuse or violence. However, you did not change my locks within 24 hours of receiving my written request, so I changed my locks on [insert: date you changed your locks]. I therefore request you reimburse me for the locks change, in the amount of [insert: the cost of the locks change] by [Insert: date the landlord must reimburse you, which must be at least 21 days after you changed your locks]. As explained below, this reimbursement is required by California law.

A tenant who asks in writing and with proper documentation is entitled to have their locks changed under Civil Code section 1941.5. If a tenant gives their landlord a written request with the proper documentation, the landlord is required to change the locks, **at the landlord's expense**, within 24 hours of receiving the written request and

documentation. (Civ. Code, § 1941.5 subd. (b).) Proper documentation when the tenant does not live with the person who committed abuse or violence, is a document that shows the tenant, their household member or their immediate family member experienced abuse or violence. (Civ. Code, § 1941.5, subds. (a) & (b).) The tenant chooses one of these four types of documents to show abuse or violence occurred: (1) a copy of a restraining order, (2) a copy of a police report, (3) a letter from a qualified third party, or (4) a document that reasonably verifies the abuse or violence occurred, like a self-certified statement. (Civ. Code, § 1941.5, subd. (d).) If a landlord does *not* change the locks within 24 hours of receiving the written request and documentation, a tenant may change the locks, and ***the landlord must reimburse the tenant for the locks change costs no later than 21 days after the locks were changed.*** (Civ. Code, § 1941.5, subd. (c)(2)(A).)

Thus, you must reimburse me for the cost of my locks change because you did not change my locks within 24 hours of when I provided you written request and documentation that shows [insert: "I" or "my household member" or "my immediate family member"] experienced abuse or violence, so I had to change the locks. I incurred the cost of [insert: the cost of the locks change] to change my locks.

At this time, I request that you reimburse me for my locks change in the amount of [insert: the cost of the locks change] by [Insert: deadline for when the landlord must reimburse you, which must be at least 21 days after you changed your locks], which is 21 days or more from the date I changed my locks. You can send this payment to [insert: address]. If I do not receive my reimbursement from you by [Insert: deadline for when the landlord must reimburse you, which must be at least 21 days after you changed your locks], I may take further legal action.

Thank you for your attention to this matter.

Sincerely,

[Tenant's Signature] _____

[Tenant's Name Printed]

Attachments: [list any documents you are attaching, such as a copy of your previous request for locks change with your documentation of abuse or violence.]

Know Your Rights:



Changing Your Locks When You Live with the Person Who Harmed You

I have a restraining order against someone who is a tenant in my unit, can I change my locks?

- Yes, you can have your locks changed if you have a court order that orders the other tenant to move out of your shared home.¹⁴

How do I ask my landlord to change my locks?

- To ask for a locks change, you must give your landlord a letter telling them to change your locks.¹⁵ You must also give your landlord a copy of a court order **with a move-out order**, issued in the last 180 days.¹⁶
 - A move-out order orders the person who was abusive to move out of a shared home.¹⁷ Learn more about move-out orders in [Know Your Rights: Move-Out Orders and Orders to Pay Rent](#).
- You can use FVAP's below template, [Locks Change Request – When You Live with the Person Who Harmed You](#), to ask your landlord to change the locks on a co-tenant.
- If you were harmed by someone you *do not* live with, learn how to get your locks changed in the above resource, [KNOW YOUR RIGHTS: Changing Your Locks When You Do NOT Live with the Person Who Committed Abuse or Violence](#).

What court orders can I give my landlord to have my locks changed?

- Court orders can be any of the following:
 - Temporary or long-term Domestic Violence Restraining Orders (DVRO) with move-out orders
 - Emergency Protective Orders with move-out orders
 - Criminal Protective Orders with move-out orders
 - Juvenile Restraining Orders with move-out orders¹⁸

¹⁴ Civ. Code, § 1941.6.

¹⁵ Civ. Code, § 1941.6, subd. (b).

¹⁶ Civ. Code, § 1941.6, subds. (b), (f)(1).

¹⁷ Fam. Code, §§ 6321, subd. (a), 6340 subd. (c); Welf. & Inst. Code, § 213.5, subds. (a), (b).

¹⁸ Civ. Code, § 1941.6, subd. (f)(1).

When does my landlord have to change the locks?

- Your landlord must change the locks within 24 hours after getting a written request and copy of the court order.¹⁹

What can I do if my landlord does not change the locks within 24 hours?

- If your landlord does not change the locks within 24 hours of getting a written request with the court move-out order, you can change the locks. You can do this even if the lease says you are not allowed to change the locks. If you change the locks, you must tell the landlord within 24 hours of changing the locks. You must also give your landlord a copy of the new key and the locks must be the same or better quality as the old locks.²⁰

Who pays for the locks change?

- Your landlord must pay for the locks change.²¹ If you change the locks, your landlord has 21 days after you change your locks to reimburse you for the cost of the locks change.²²

What can I do if my landlord refuses to pay for the locks change?

- If your landlord does not pay for the locks change, **talk with an attorney to figure out the best option for you**. Locate your local legal aid organization at <https://www.lawhelpca.org/>.
- Your options may include the following:
 1. Writing a letter to the landlord telling them to stop violating your rights. You can use FVAP's below template letters, [Demand Landlord Pay for Locks Change when Survivor Lives with the Person Who harmed](#) and [Demand Landlord Reimburse for Locks Change when Survivor Lives with the Person Who harmed](#).
 2. Suing your landlord for the locks change costs in small claims court.²³ [Learn more about small claims court at the California Courts website here](#), or by using this footnote's URL.²⁴

¹⁹ Civ. Code, § 1941.6, subd. (b).

²⁰ Civ. Code, § 1941.6, subd. (c).

²¹ Civ. Code, § 1941.6, subd. (b).

²² Civ. Code, § 1941.6, subd. (c)(2)(A).

²³ Code of Civ. Proc. § 116.220.

²⁴ <https://selfhelp.courts.ca.gov/small-claims-california>



How do I get more help?

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

Template: Locks Change Request – When You Live with the Person Who Harmed You

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. Make a copy or take a 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]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Request for Locks Change

Dear **[Insert: Name of Landlord / Property Manager's Name]**:

I am a tenant living at **[insert: unit's address]** (“premises”). I received a court order protecting me from my co-tenant, **[insert: name of the restrained co-tenant]**. The court order includes a move-out order excluding my co-tenant from the premises, so I am requesting you change my locks.

If a tenant has a court order excluding a co-tenant from their unit, the tenant protected by the court order may request a locks change at the landlord's expense. (Civ. Code, § 1941.6.) To get a locks change against a co-tenant, the tenant must give their landlord written notice and a copy of a court order with a move-out order, issued within the last 180 days, protecting them from a tenant in the same unit. (Civ. Code, §§ 1941.6, subds. (a), (b) & (f)(1).)

The landlord must change the locks within 24 hours of receiving the tenant's written request which includes a court order with a move-out order. (Civ. Code, § 1941.6)

subd. (b).) The landlord must pay for the locks change. (Civ. Code, § 1941.6 subd. (b).) If the landlord does not change the locks within 24 hours of receiving the written request and copy of the court order, the tenant may change the locks. (Civ. Code, § 1941.6 subd. (c).) If the tenant changes the locks, the landlord must reimburse the tenant for the cost of the locks change no later than 21 days after the locks were changed. (Civ. Code, § 1941.6, subd. (c)(2)(A).)

I attached a copy of a court order with a move-out order that excludes my co-tenant, [insert: name of the restrained co-tenant], from the premises. This court order was issued within the last 180 days. Pursuant to Civil Code section 1941.6, the attached document verifies that I am a protected tenant under the law and can have my locks changed. Therefore, you must change my locks within 24 hours of receiving this written request. If the locks are not changed within 24 hours, I may change the locks on my own and ask for reimbursement for the costs of the locks change.

Thank you in advance for your understanding and cooperation in this matter.

Sincerely,

[Survivor's Signature] _____

[Survivor's Name Printed]

Attached: [Copy of court order with move-out order issued within the last 180 days]

Template: Demanding Landlord Pay for Locks Change when Survivor Lives with the Person Who Harmed

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. Make a copy or take a picture of the letter and attachment for your records.
6. Give or send the completed letter and attachment to the landlord.
7. If the Landlord does not respond to you by the date in your letter, reach out to them.

[Insert: Date]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Requesting Landlord Pay for Locks Change

Dear [Insert: Name of Landlord or Property Manager]:

I am a tenant at [insert: address]. On [insert: date you asked for the locks change] I requested that you change my locks. I provided you with a written request and a copy of a court order that excluded my co-tenant from the shared home. On [insert: date that the landlord requested that you pay for the locks change] you [insert: "refused to change my locks until I paid for the locks change" or "asked me to reimburse you for the locks change."] As explained below, as the landlord, you are responsible under California law for paying for the locks change. I therefore request you immediately rescind your request for payment [insert if applicable: and change my locks].

A tenant who asks in writing and with proper documentation is entitled to have their locks changed under Civil Code section 1941.6. If a tenant gives their landlord a written request with the proper documentation, the landlord is required to change the

locks, **at the landlord's expense**, within 24 hours of receiving a written request and documentation. (Civ. Code, § 1941.6 subd. (b).) Proper documentation to get a locks change against a co-tenant is a court order with a move-out order, issued within the last 180 days, protecting the tenant requesting the locks change from their co-tenant. (Civ. Code, §1941.6, subds. (a), (b) & (f)(1).) The law is clear that a landlord must pay for the costs of the locks change. (Civ. Code, § 1941.6 subd. (b).)

Thus, you must change my locks at your expense because I provided you with a written request and a copy of a court order that excluded my co-tenant from the shared home. At this time, I request that you immediately **[insert: "change my locks at your expense" or "stop asking me to pay for the locks change"]**. If I do not receive a response from you within **[insert: time frame based on urgency, for example "48 hours" may be appropriate if you need the locks changed immediately for your safety, and "one week" may be appropriate if you need the landlord to stop asking you to reimburse them for the locks change]**, I may take further legal action.

Thank you for your attention to this matter.

Sincerely,

[Tenant's Signature] _____

[Tenant's Name Printed]

Attachments: **[list any documents you are attaching, such as a copy of your previous request for locks change with your court order with a move-out order.]**

Template: Demanding Landlord Reimburse for Locks Change When Survivor Lives with the Person Who Harmed

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. Make a copy or take a picture of the letter and attachment for your records.
6. Give or send the completed letter and attachment to the landlord.
7. If the Landlord does not respond to you by the date in your letter, reach out to them.

[Insert: Date]

[Landlord / Property Manager's Name]

[Address Line 1]

[Address Line 2]

Re: Requesting Reimbursement for Cost of Locks Change

Dear [Insert: Name of Landlord or Property Manager]:

I am a tenant at [insert: your address]. On [insert: date you asked for the locks change] I requested that you change my locks by providing you with a written request and a court order with a move-out order. However, you did not change my locks within 24 hours of receiving my written request, so I changed my locks on [insert: date you changed your locks]. I therefore request you reimburse me for the locks change, in the amount of [insert: the cost of the locks change] by [Insert: date the landlord must reimburse you, which must be at least 21 days after you changed your locks]. As explained below, this reimbursement is required by California law.

A tenant who asks in writing and with proper documentation is entitled to have their locks changed under Civil Code section 1941.6. If a tenant gives their landlord a written request with the proper documentation, the landlord is required to change the

locks, **at the landlord's expense**, within 24 hours of receiving the written request and documentation. (Civ. Code, § 1941.6 subd. (b).) Proper documentation to get a locks change against a co-tenant is a copy of a court order with a move-out order, issued within the last 180 days, protecting the tenant requesting the locks change from their co-tenant. (Civ. Code, §§ 1941.6, subds. (a), (b) & (f)(1).) If a landlord does *not* change the locks within 24 hours of receiving a written request and proper documentation, the tenant may change the locks, and **the landlord must reimburse the tenant for the locks change costs no later than 21 days after the locks were changed**. (Civ. Code, § 1941.6, subd. (c)(2)(A).

Thus, you must reimburse me for the cost of my locks change because you did not change my locks within 24 hours of when I provided you with written request and a copy of a court order that excluded my co-tenant from the shared home, so I had to change the locks. I incurred the cost of **[insert: the cost of the locks change]** to change my locks.

At this time, I request that you reimburse me for my locks change in the amount of **[insert: the cost of the locks change]** by **[Insert: deadline for when the landlord must reimburse you, which must be at least 21 days after you changed your locks]**, which is 21 days or more from the date I changed my locks. You can send this payment to **[insert: address]**. If I do not receive my reimbursement from you by **[Insert: deadline for when the landlord must reimburse you, which must be at least 21 days after you changed your locks]**, I may take further legal action.

Thank you for your attention to this matter.

Sincerely,

[Tenant's Signature] _____

[Tenant's Name Printed]

Attachments: **[list any documents you are attaching, such as a copy of your previous request for locks change with your court order with a move out order.]**