

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

Does my landlord have to repair everything that is broken?

No. Generally, a landlord should 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 safe housing issues in FVAP's resource "[Know Your Rights: Safe Housing for Tenants.](#)"



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

When you notice something in your unit needs to be fixed, ask your landlord to repair it as soon as possible. You should tell your landlord when there is an issue because they might not be responsible for fixing something that they do not know is broken. If you do not tell your landlord about an issue and it gets worse, you may have to pay for the repairs because you did not tell your landlord about the problem.²

How do I ask my landlord to fix something in my unit?

Ask your landlord in writing to make a repair. Take photos or videos of the issue and send them to your landlord. Save copies of all the communications (letters, emails, pictures, etc.) with your landlord. Copies of communications can be used to show that you asked for repairs and what your landlord's response was. You may use FVAP's Template letter "[General Request for Repair](#)" below to ask your landlord to fix something.

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

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 during the winter.

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

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 scenarios that may apply to you:

Scenario 1: *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 (If you let someone in because they forced you to let them in through threats or physical acts, they are not a guest). However, a landlord may agree to pay for repairs even when it is your responsibility.

If you have to 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 court (for less than \$10,000) or in civil court.⁸ To learn more about small claims court or other civil actions, [visit the California Courts website here](#) or by using the URL in the footnotes.⁹
- (3) You could be eligible for financial help from a nearby domestic violence agency. To find a domestic violence organization near you, [visit](#)

[the California Partnership to End Domestic Violence's website here](#) or by using the URL in the footnotes.¹⁰

- (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 if any of these options are right for you.

Scenario 2: *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 who abused you was not your guest, you should not be responsible for repairing what they damaged. If you need to ask your landlord to make a repair caused by an uninvited person who abused you, use FVAP's template letter "[Request for Repair: Uninvited Person Damaged My Home](#)" below.

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 large risks. For help finding an attorney, locate your local legal aid organization at <https://www.lawhelpca.org/>.

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

² Civ. Code §§ 1929, 1941.2.

³ *Id.* at § 1942, subd. (a).

⁴ *Id.* at § 1942, subd. (b).

⁵ *Id.* at § 1941.2, subd. (a)(4).

⁶ *Ibid.*

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

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

Your options may include the following:

- calling code enforcement,
- repairing the issue on your own and deducting the cost from rent,¹¹
- moving out before your lease ends,¹²
- withholding rent,
- filing a lawsuit against the landlord for not repairing the issues.¹³

Learn more about your options and the potential risks through the California Department of Real Estate's resource: [California Tenants – A guide to Residential Tenants' and Landlords' Rights and Responsibilities here](#) or by using the URL in the footnotes.¹⁴

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.¹⁵ For example a landlord cannot start charging you for parking or refuse to let you use the laundry facilities because you asked them to make a repair. An illegal punishment also includes reporting a tenant to immigration authorities.¹⁶ Learn about immigrant tenants' housing rights in FVAP's Resource "[Know Your Rights: Housing Rights for Immigrants](#)."



How do I get more help? Contact FVAP at info@fvapl.org or (510) 380-6243.

⁹ <https://selfhelp.courts.ca.gov/small-claims-california>

¹⁰ <https://www.cpedv.org/domestic-violence-organizations-california>

¹¹ Civ. Code § 1942.

¹² *Ibid.*

¹³ *Id.* at § 1942.4.

¹⁴ <https://landlordtenant.dre.ca.gov/resources/guidebook/index.html>

¹⁵ *Id.* at § 1942.5.

¹⁶ *Id.* at § 1942.5, subd. (c).



TEMPLATE LETTER: **General Request for Repair**

Under California law, your landlord must provide you habitable housing and make needed repairs to the home.¹ Habitability is a term that explains if a building is safe to live in.

If your housing has a habitability issue or something that needs to be repaired, tell your landlord in writing to make sure that repairs are made in a reasonable amount of time. FVAP made these template letters that you can use to give to your landlord to ask that repairs are made. These template letters explain the law and ask the landlord to make repairs in a reasonable amount of time. Your advocate may be able to help you fill out this template.

This packet includes template letters that you or your advocate can fill out electronically or template letters that you can print and then fill out by hand.

When using a template letter that can be printed and filled out by hand, you should use the electronic templates as a guide to what information can be filled into the blank lines.

When using either the electronic or printed templates, ***date and sign the letter and keep a copy of the completed letter for your records***. If you do not have access to a copier, take a picture of the final document before giving it to the landlord.

How do I get more assistance? Contact FVAP at info@fvaplaw.org or (510) 380-6243 for questions.

¹ *Green v. Superior Court* (1974) 10 Cal.3rd 616, 637-638.

[Electronic Template: Request for Repair of Habitability (Safe Housing) Issue]

You can download this template in a word document by [clicking this link](#)

[Type Tenant Name Here]

[Type Tenant Contact Address Here]

[Type Date Here]

[Type PROPERTY MANAGEMENT/LANDLORD NAME Here]

[Type PROPERTY MANAGEMENT/LANDLORD COMPANY Here]

[Type PROPERTY MANAGEMENT/LANDLORD ADDRESS Here]

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

Dear [Type PROPERTY MANAGEMENT/LANDLORD NAME Here]:

I am writing to request that you repair the following issues in my unit: [put in here details about the issues in the home (the repairs you want your landlord to make) and when they started. Some examples of issues that need to be fixed could include: "there is no hot water in the home", "there is a broken window on the side of the house", "the refrigerator is not working", "there is a cockroach infestation." Look at FVAP's above resource "Know Your Rights: Safe Housing for Tenants" for more examples of habitability issues. Look at your lease for details about other things that your landlord might be responsible for repairing, like light fixtures, appliances, etc.] I ask that you fix these issues in a timely manner.

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 [explain the issues again shortly]. [Add this sentence to your letter if it is true: Neither myself nor my guests caused the condition that needs repair.]

Because this makes my home uninhabitable, you must make this repair in a timely manner. (Civ. Code § 1942 (a)). [Add this part if there is an urgent issue that needs fixing immediately (things like no running water or sewage spilling in home would be more serious issues that need immediate repair): Because this issue is very severe, please make sure to 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 refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

[Optional language to include: Further, I have various legal remedies if you choose to not make these repairs or retaliate against me for requesting repairs. I intend to continue 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]

Enclosures: [list supporting documents you are attaching, such as pictures of repairs that need to be made or contact you made to code enforcement here.]

[Electronic Template: Request for Repair of NON-Habitability issue]

You can download this template in a word document by [clicking this link](#)

[Type Tenant Name Here]

[Type Tenant Contact Address Here]

[Type Insert Date Here]

[Type PROPERTY MANAGEMENT/LANDLORD NAME Here]

[Type PROPERTY MANAGEMENT/LANDLORD COMPANY Here]

[Type PROPERTY MANAGEMENT/LANDLORD ADDRESS Here]

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

Dear [Type PROPERTY MANAGEMENT/LANDLORD NAME Here]:

I am writing to request that you repair the following issues in my unit: [put in here details about the issues in the home (the repairs you want your landlord to make) and when they started. Some examples of issues that need to be fixed could include: "there is no hot water in the home", "there is a broken window on the side of the house", "the refrigerator is not working", "there is a cockroach infestation." Look at FVAP's above resource "Know Your Rights: Safe Housing for Tenants" for more examples of habitability issues. Look at your lease for details about other things that your landlord might be responsible for repairing, like light fixtures, appliances, etc.] I ask that you fix these issues in a timely manner.

[Add this to your letter if it applies in your situation:] As stated in our rental agreement, you have agreed to repair [use language from your lease or rental agreement that talks about what your landlord says they will repair here, for example: light fixtures, dishwashers, general appliances, etc.] Currently, [describe the problem in your home again briefly here]. [Add this to your letter if it is true: Neither myself nor my guests caused this condition that now needs repair.] I ask that you 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 has exercised their right to maintain habitable housing or other housing rights. (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 language to include: Further, I have various legal remedies if you choose to not make these repairs or retaliate against me for requesting repairs. I intend to continue 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]

Enclosures: [list supporting documents you are attaching, such as pictures of repairs that need to be made or contact you made to code enforcement here.]

Re: Request for Repair

Dear _____,

I am writing to request that you repair the following issues in my unit: _____

_____. I ask that you fix these issues in a timely manner.

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 _____

Because this makes my home uninhabitable, you must make this repair in a timely manner. (Civ. Code § 1942 (a)). 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 refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

Thank you in advance for your time and cooperation.

Sincerely,

Enclosures: _____

Re: Request for Repair

Dear _____,

I am writing to request that you repair the following issues in my unit: _____

_____. I ask that you fix these issues in a timely manner.

Currently, _____

I ask that you 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 has exercised their right to maintain habitable housing or other housing rights. (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.

Thank you in advance for your time and cooperation.

Sincerely,

Enclosures: _____



TEMPLATE LETTER: **Request for Repair: Uninvited Person Damaged My Home**

Under California law, your landlords must provide you with habitable housing and make needed repairs to the home.¹ Habitability is a term that explains if a building is safe to live in.

Generally, your landlord does not always have to repair damage caused by you or your guests.² However, if a person that you did not invite to your house (an uninvited person) damages the home, the landlord should make those repairs.

If you are a survivor whose home was damaged by an uninvited person, you can ask your landlord in writing to make repairs. FVAP made these template letters that you can use to ask your landlord to repair damage caused by a person that you did not invite to your home. You can use these template letters to explain the law to your landlord and ask that they make the repair in a reasonable amount of time. Your advocate may be able to help you fill out this template.

This packet includes template letters that can be filled out electronically and template letters that can be printed and filled out by hand.

When printing and filling out the template letters by hand, you should use the electronic templates as a guide to see what information to use to fill in the blank lines.

When using either the electronic or printed template, ***date and sign the letter and keep a copy of the completed letter for your records.*** If you do not have access to a copier, take a picture of the final document before giving it to the landlord.

How do I get more assistance? Contact FVAP at info@fvaplaw.org or (510) 380-6243 for questions.

¹ *Green v. Superior Court* (1974) 10 Cal.3rd 616, 637-638.

² Civ. Code §§ 1929, 1941.2.

[Electronic Template - UNINVITED GUEST: Request for Repair of Habitability (Safe Housing Issue)]

You can download this template in a word document by [clicking this link](#)

[Type Survivor Name Here]

[Type Survivor Contact Address Here]

[Type Date Here]

[Type PROPERTY MANAGEMENT/LANDLORD NAME Here]

[Type PROPERTY MANAGEMENT/LANDLORD COMPANY Here]

[Type PROPERTY MANAGEMENT/LANDLORD ADDRESS Here]

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

Dear [Type PROPERTY MANAGEMENT/LANDLORD NAME Here]:

I am writing to request that you repair issues in my unit. Recently, an incident occurred where [describe in detail the damage caused by the person who harmed. Here are some examples: “someone I did not invite on the property threw a brick into my window.” “someone broke into my unit and broke the kitchen sink” “someone broke my porch light”]. Because of this, [List here what needs to be repaired. Look at FVAP’s resource “Know Your Rights: Safe Housing for Tenants” for more examples of habitability issues. Look at your lease for details about other things that your landlord is responsible for repairing, like light fixtures, appliances, etc. Some examples of issues that need to be fixed could include: “there is a broken window on the side of the house”, “the front door is broken and does not lock”, “the refrigerator door is broken”, “the bathtub is not working”, “the railing on the stairway is broken”]. I ask that you fix these issues in a timely manner.

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 [again briefly explain the repair that needs to be made here]. The damage was done by someone that I did not invite to my house.

Because this issue makes my home uninhabitable, you must make this repair in a timely manner. (Civ. Code § 1942 (a)). [Add this part if there is an urgent issue that needs addressing immediately. (things like no running water or sewage spilling in home would be more serious issues that need immediate repair): [Because this issue is very severe, please make sure to 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 refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

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

Sincerely,

[Include Survivor's Signature Here]

[Type Survivor's Name Here]

Enclosures: [list any supporting documents such as pictures of the damage or proof of restraining orders/police reports against the uninvited person that you want to include here.]

[Electronic Template - UNINVITED GUEST: Request for Repair of NON-Habitability issue]

You can download this template in a word document by [clicking this link](#)

[Type Survivor Name Here]

[Type Survivor Contact Address Here]

[Type Date Here]

[Type PROPERTY MANAGEMENT/LANDLORD NAME Here]

[Type PROPERTY MANAGEMENT/LANDLORD COMPANY Here]

[Type PROPERTY MANAGEMENT/LANDLORD ADDRESS Here]

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

Dear [Type PROPERTY MANAGEMENT/LANDLORD NAME Here]:

I am writing to request that you repair issues in my unit. Recently, an incident occurred where [describe in detail the damage caused by the person who harmed. Here are some examples: “someone I did not invite on the property threw a brick into my window.” “someone broke into my unit and broke the kitchen sink” “someone broke my porch light”]. Because of this, [List here what needs to be repaired. Look at FVAP’s resource “Know Your Rights: Safe Housing for Tenants” for more examples of habitability issues. Look at your lease for details about other things that your landlord is responsible for repairing, like light fixtures, appliances, etc. Some examples of issues that need to be fixed could include: “there is a broken window on the side of the house”, “the front door is broken and does not lock”, “the refrigerator door is broken”, “the bathtub is not working”, “the railing on the stairway is broken”]. I ask that you fix these issues in a timely manner.

[Add this section to your letter if it applies to your situation: [As stated in our rental agreement, you agreed to repair [use language from your lease that talks about what your landlord says they will repair, for example: light fixtures, dishwashers, general appliances, etc.]]. Currently, [describe the problem in your home again briefly here]. The damage was done by someone that I did not invite to my house.

I ask that you 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. (Civil 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 refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

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

Sincerely,

[Include Survivor's Signature Here]

[Type Survivor's Name Here]

Enclosures: [list any supporting documents such as pictures of the damage or proof of restraining orders/police reports against the uninvited person that you want to include here.]

Re: Request for Repair

Dear _____,

I am writing to request repairs for issues in my unit. Recently, an incident occurred where _____

Because of this, _____

I ask that you fix these issues in a timely manner.

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 _____

The damage was done by someone that I did not invite to my house.

Because this makes my home uninhabitable, you must make this repair in a timely manner. (Civ. Code § 1942 (a)). 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 refrain from trying to evict me, raise my rent, or engage in other harassing behavior in response to my request for repairs.

Thank you in advance for your time and cooperation.

Sincerely,

Enclosures: _____

Re: Request for Repair

Dear _____,

I am writing to request repairs for issues in my unit. Recently, an incident occurred where _____

Because of this, _____

_____.

I ask that you fix these issues in a timely manner.

Currently, _____

The damage was done by someone that I did not invite to my house. I ask that you 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 has exercised their right to maintain habitable housing or other housing rights. (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.

Thank you in advance for your time and cooperation.

Sincerely,

Enclosures: _____