



## Tips

- Complaints and requests to the landlord should always be done in **WRITING**.
- Keep copies of **EVERYTHING**, including any written correspondence with the landlord and managers.
- Ask someone to help you translate English documents if you can't understand them; don't just throw them away!
- If you receive an eviction notice, seek help that same day. Some eviction notices can expire as quickly as three days.



## Who is the Asian Law Caucus?

- The Asian Law Caucus is the nation's oldest legal and civil rights organization serving the low income Asian Pacific American community.
- The mission of our housing program is to preserve the human right to affordable housing.
- We focus on helping those most vulnerable to landlord abuses, such as immigrants, the elderly and those who are limited English proficient.
- Our staff can provide assistance in Cantonese and Mandarin.

The information provided here is general. ALC does not intend for anything stated here to establish any attorney/client relationship with the reader. If you have questions about your own situation, please consult an attorney.

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ASIAN LAW CAUCUS  MEMBER OF ASIAN AMERICAN CENTER FOR ADVANCING JUSTICE



## Information on Tenants Rights in Foreclosures



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# Foreclosure



## Federal and local laws protect tenants living in foreclosed property.

Even if you're paying rent on time, your landlord may be behind in mortgage payments and may lose the home in foreclosure. As a tenant, you still have protections.

### Foreclosure is not a just cause for eviction.

- The San Francisco Rent Ordinance prevents a landlord from evicting a tenant without just cause, even after a foreclosure.
- If you are a tenant living in housing built before 1979, "just cause" protections likely apply to you.
- If the SF Ordinance does not apply to you, federal law may require the new owner to give you a 90-day written notice to vacate.

### Can the new owner after a foreclosure sale make me leave right away?

- No. After the sale, you are still a

tenant and the new owner takes on the obligations of a landlord. If you want to remain a renter you should continue to pay rent to the new owner.

- If the new owner wants to evict you, s/he must serve a written notice telling you to move out and state a just cause for eviction.

### What should I do if my utilities are shut off?

A landlord may fall behind on PG&E payments and foreclosing banks are unlikely to pay those back bills. As a tenant, you have a couple of options:

- 1) Contact PG&E at 1-800-743-5000 and open your own account:
  - Tenants have the right to assume the utilities in their own name, without having to pay any of the back bills owned by the landlord.
- 2) Contact the San Francisco Dept. of Building Inspection at (415)-558-6088:
  - DBI can issue orders to the new owner to restore or continue utility services.

## FAQs

A real estate agent is pressuring me to move. What should I do?

- If someone tells you to move but doesn't serve a written notice, you don't have to do anything.
- Tell the real estate agent (or other bank representative) to put any notices in writing.

The agent keeps talking about "cash for keys." What does this mean?

- By signing one of these agreements, you give up your rights as a tenant in exchange for money. In typical agreements the tenant is paid money to agree to move out sooner than law requires.
- You are not obligated to accept "cash for keys" offers. Get help before signing any agreement.

What about paying rent after foreclosure?

- Rent should be paid to the new owner. The new owner is required to serve you a notice telling you where to send your rent. Until you get this notice, set aside your rent you have it available if it is demanded. Banks often refuse to accept rent after foreclosure.