



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 Illegal Housing Units



ALC Phone:
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If you live in an illegal in-law unit, you still have rights.

What is an in-law unit?

- The term refers to a secondary unit on a property that should typically have only one dwelling unit.

Common types of in-law units include:

- Units below the main floor of a single-family home (a "basement suite").
- Converted garages in a single-family home.

What is an illegal unit?

- A unit is illegal if it is being occupied in a way that was not authorized by the city.
- Many in-law units have not been certified as a separate dwelling and therefore are illegal. For example, a basement renovated without city permits to include a kitchen and bathroom would be illegal if rented out.

You still have rights as a tenant if you live in an illegal unit:

- An illegal unit must be fit to live in, which means having heat, electricity, plumbing, hot & cold water, weather protection.
- You are entitled to proper written notice before an eviction.

Illegal units can still be subject to the Rent Ordinance:

- An illegal unit of a property built before 1979 most likely will still be subject to the S.F. Rent Ordinance.

If an illegal unit is subject to the Rent Ordinance:

- A landlord must comply with rent increase limitations.
- A landlord cannot evict you without a valid legal reason to do so (a "just cause").
- You can contact the Rent Board with complaints. They do not report illegal units to the Department of Building Inspection (DBI).

FAQs

What if an illegal unit is reported to the Department of Building Inspection?

- DBI can cite the property owner for violating the housing code. If the unit is not brought up to code requirements, it may be demolished or removed from residential use.
- If an owner is required to demolish/remove the unit, you still have rights as a tenant, and the Rent Ordinance may still apply.

What if I suspect my unit is illegal?

- DO NOT notify the Department of Building Inspection. This could lead to eviction.

How do I know my in-law unit is illegal?

- Check if the Department of Building Inspection issued the appropriate permits. (415) 558-6088.

Signs your unit may be illegal:

- The unit is in an area that is zoned only for single-family homes.
- The unit does not have at least two exits/entrances.
- The unit lacks a functional kitchen.
- The unit lacks a functional bathroom.