



LAW FOUNDATION of Silicon Valley

4 North Second Street, Suite 1300, San Jose CA 95113

Housing Intake (408) 280-2424 • Main Telephone (408) 293-4790 • TDD (408) 294-5667

HOUSING RIGHTS UNIT

What is the mission of Housing Rights Unit?

The goal of the housing rights unit is to provide information, education, assistance and advocacy to individuals with mental health or developmental disabilities to help them understand and enforce their legal rights in housing. By providing clients with information and options, housing rights advocates hope to enable clients to make informed choices and lead independent, secure and fulfilling lives. Due to the competitive housing market in Santa Clara County, housing rights advocates work to help clients preserve their housing or pursue safe and affordable housing free from discrimination.

Whose interests do housing rights advocates represent?

Housing rights advocates represent the legal interests expressed by the client, so long as those interests are within the boundaries of the law and achievable within the advocates' resources. Advocates will discuss the relevant law, legal implications, and available options with clients to enable clients to make informed choices. An advocate will not take action on behalf of a client based on the advocate's perceived "best interest" of the client or based on the client's family, doctor or case manager's perceived "best interests" of the client.

What services do the housing rights advocates provide?

Housing rights advocates provide free legal advice, referral, assistance and representation in all areas of landlord/tenant relations. Specifically, housing rights advocates assist clients with the following issues:

- Discrimination based on disability
- Evictions and unlawful detainer actions
- Right to privacy
- Retaliation
- Requests for reasonable accommodations
- Code Enforcement complaints
- Return of security deposits
- Rent and security deposit increases
- Habitability problems
- Requests for repairs
- Section 8 housing choice vouchers
- Mobile home issues

What is a reasonable accommodation?

A reasonable accommodation is a change in a landlord's usual rules, policies, or procedures to take into account a tenant's disability when that change is necessary and reasonable for a tenant with a disability to fully use and enjoy housing. The accommodation must be directly related to the tenant's disability. Housing rights advocates work with each client to craft a reasonable accommodation request which reflects the client's unique disability and needs.

Who is obligated to make a reasonable accommodation?

Federal and state fair housing laws dictate that public and private landlords and public agencies, like Code Enforcement, the Housing Authority and the Department of Housing and Urban Development (HUD), must make reasonable accommodations for individuals with disabilities. If you feel that you need to request a reasonable accommodation, contact us immediately.

How do clients seek assistance from the housing rights advocates?

Either visit the Law Foundation of Silicon Valley at 152 North Third Street, 3rd floor, in Downtown San Jose or call the Housing Intake Line at (408) 280-2424. A staff person will conduct an interview and ask for general information related to your housing problem. Then, your case will be assigned to a housing rights advocate who will contact you within three days to provide you with advice or assistance.

Do housing rights advocates only provide assistance to clients in a certain type of housing?

Housing rights advocates will assist clients who live in and have concerns related to any type of housing, including shelters, transitional housing, licensed board and care homes, boarding houses, group homes, hotels, mobile homes, subsidized housing, permanent housing, and more.

What other informational flyers are available from the housing rights unit?

- The Eviction Process
- Fighting an Eviction: What Are the Defenses?
- Housing Rights and Responsibilities During Tenancy
- Looking for a New Place to Live
- Megan's Law
- Reasonable Accommodations in Housing
- Reports of Past Evictions
- Rent Control
- Residents' Rights in Board and Care Homes
- San Jose Rent Stabilization Ordinance
- Security Deposits
- Section 8 Housing Choice Vouchers
- Small Claims Court
- Tips to Prevent Eviction
- When a Tenant Is Moving Out
- Wrongful Eviction

This information sheet is intended to provide accurate, general information regarding legal rights. It does not constitute legal advice. Because laws and legal procedures are subject to frequent change and differing interpretations, the Mental Health Advocacy Project cannot ensure the information in this information sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.