



Notice of Tenant Protection Ordinance

(O.M.C. 8.22.600 et seq.)

On November 5, 2014, the Oakland City Council adopted the Tenant Protection Ordinance (TPO), which prohibits various harassing behaviors against tenants by owners and their agents (for example, property managers and contractors) – thereby bolstering existing laws and leases that protect tenants. The TPO creates remedies that can be enforced by private civil rights of action.

Among other things, the Tenant Protection Ordinance prohibits conduct that may coerce a tenant to vacate a rental unit involuntarily. The following is only a summary of the illegal conduct; for a complete list, you are advised to review the attached copy of the Tenant Protection Ordinance or review Oakland Municipal Code 8.22.600.

Property owners and their agents must not, in bad faith, engage in any of the following conduct:

1. Disruption of services to the rental unit.
2. Fail to perform repairs and maintenance.
3. Fail to exercise due diligence when completing repairs (ex. unreasonable delays) or follow appropriate industry protocol.
4. Abuse the owner's right of access to the rental unit.
5. Remove personal property, furnishings, or any other items without the prior written consent of the tenant, except when authorized by law.
6. Threaten to report a tenant or their known associates to law enforcement based on their perceived or actual immigration status.
7. Influence a tenant to vacate through fraud, intimidation, or coercion.
8. Offer payments to a tenant to vacate more than once in six (6) months if the tenant has stated in writing that they don't want to receive such offers
9. Try to intimidate a tenant into accepting a buyout.

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10. Threaten the tenant or their guests, by word or gesture, with physical harm.
11. Interfere with a tenant's right to quiet use and enjoyment of the rental unit.
12. Refuse to accept or acknowledge receipt of a tenant's lawful rent payment.
13. Refuse to cash a rent check for over thirty (30) days unless a written receipt for payment has been provided to the tenant.
14. Interfere with a tenant's right to privacy, including unnecessarily inquiring into a tenant's immigration status.
15. Unilaterally impose new material terms of tenancy.
16. Remove a housing service for purpose of causing the tenant to vacate.
17. Commit violations of certain state laws, including discrimination prohibited under the Unruh Civil Rights Act and illegal lockouts and utility shutoffs prohibited by other laws.
18. Misrepresent to a tenant that they are required to vacate their unit.

Note: A tenant who has experienced violations of the Tenant Protection Ordinance may bring a civil action in court against the property owners. Elderly, disabled, and/or catastrophically ill tenants have heightened protections under the TPO. Violators may be held liable for treble (three times) damages, including emotional distress. For violations related to repairs, tenants must first provide fifteen (15) days' notice of violation.

The TPO requires owners to post a notice of the TPO in rental units located in a building with an interior common area. The notice must be placed in at least one such common area in the building using the form prescribed by the City Staff.

If you are experiencing any of the conduct detailed above, you may contact the Rent Adjustment Program for more information, at (510) 238-3721 or rap@oaklandca.gov.

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