

租戶 資料袋



租金調整計劃

250 Frank Ogawa H. Plaza

Suite 5313

Oakland, CA 94612

電話 (510) 238 - 3721

傳真 (510) 238 - 6181

www.oaklandca.gov/rap

租金調整計劃服務時間：

星期一至四：上午 9:30 至下午 4:30

星期五：不開放*

*(上午 9:00 至下午 4:30 可投遞文件)

我們提供西班牙語、粵語和國語
支援。如需其他語言支援，
請和我們聯絡。



Upcoming 2022 Workshops

All workshops will be conducted by Zoom.
Please register at www.oaklandca.gov/RAP

EVENT	DATE AND TIME
Local and State Eviction Moratorium Workshop	TBD
Tenant Rights Workshop	Wednesday, April 27 5:30 – 7:00 pm
Security Deposits	Wednesday, May 11 12:30 – 2:00pm
Small Property Owner Workshop	Wednesday, May 25 5:30 – 7:00 pm
Taller de Derechos del Inquilino (Español/Spanish)	Wednesday, June 8 5:30 – 7:00 pm
Tenant Rights Workshop	Wednesday, June 22 5:30 – 7:00 pm
Small Property Owner Workshop	Wednesday, July 13 5:30 – 7:00 pm
屋東與租客講座 - 奧克蘭市政府租金管制及驅逐條例 (廣東話/Cantonese)	Wednesday, August 10 5:30 – 7:00 pm
屋東與租客講座 - 奧克蘭市政府租金管制及驅逐條例 (國語/Mandarin)	Wednesday, August 24 5:30 – 7:00 pm
Tenants Rights Workshop	Wednesday, September 14 5:30 – 7:00 pm
Security Deposits	Wednesday, September 28, 5:30 – 7:00 pm



物業業主及租戶可用的本地資源

*請注意：屋崙 (奧克蘭) 市政府竭盡所能為民眾提供最新資訊；然而，其中有些組織可能已變更他們的聯絡資料或服務時間。請聯絡以下組織並確認詳情。

可協助租戶的本地機構

東灣社區法律中心 (East Bay Community Law Center)

1950 University Ave., Ste 200, Berkeley, CA 94703

2921 Adeline St., Berkeley, CA 94703 (介於 Ashby 和 Russell St 之間)

電話：510-548-4040

服務時間：星期一至星期五上午 9:00 - 下午 5:00

網站：<https://ebclc.org>

電郵：info@ebclc.org

提供有關提交法律文件的諮詢和協助 (限低收入租戶)。為那些與房東有爭議的 (低收入) 租戶舉辦免費社區研討會。

迫遷防護中心 (Eviction Defense Center)

350 Frank Ogawa Plaza, Suite 703, Oakland, CA 94612

電話：510-452-4541

熱線：510-693-2775 (接受文字簡訊和下班時間來電)

服務時間：週一/週二/週四上午 9:00 - 下午 5:00，以及週三/週五上午 9:00 - 下午 4:00；每天中午 12:00 - 下午 2:00 為休息時間

網站：<https://www.evictiondefensecenteroakland.org>

非營利機構，專為阿拉米達縣和列治文市 (Richmond) 面臨迫遷的租戶提供低收費的法律服務。所有服務均按比例計費。

租戶連線 (Tenants Together)

474 Valencia St #156, San Francisco, CA 94103 (不受理未預約的服務要求)

電話：415-495-8100

網站：www.tenantstogether.org

電郵：info@tenantstogether.org

這是非營利組織；旨在捍衛和推動加州租戶權利，讓租戶可擁有安全、合宜和可負擔的房屋。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



屋崙 (奧克蘭) 市

租金調整計劃 (Rent Adjustment Program)

正義行動 (Causa Justa)

1419 34th Ave #203, Oakland, CA 94601

電話：510-763-5877

網站：<https://cjjc.org>

電郵：info@cjjc.org

這是非營利組織；旨在捍衛和推動加州租戶權利，讓租戶可擁有安全、合宜和可負擔的房屋。

屋崙 (奧克蘭) 租戶聯盟 (Oakland Tenants Union)

P.O.Box 10573, Oakland, CA 94601

電話：510-704-5276

網站：<https://oaklandtenantsunion.org>

電郵：help@oaklandtenantsunion.org

由房屋維權義工組成的轉介和資源機構，致力於保障租戶的權利和利益。

亞太島裔法律推廣機構 (Asian Pacific Islander Legal Outreach)

1121 Mission Street, San Francisco, CA 94103 和 310 8th Street, Suite 308, Oakland, CA 94607

電話：(415) 567-6255 和 (510) 251-2846

網站：<https://www.apilegaloutreach.org/>

亞太島裔法律推廣機構 (Asian Pacific Islander Legal Outreach) 旨在為有特殊需要的人提供適合其文化背景與所用語言的法律、社會及教育服務，以求促進社區發展、爭取正當權利，並幫助社區自力更生。透過這些社區服務，API 法律推廣機構致力打破婦女、青少年和老年人遭受暴力危害的惡性循環、為移民和殘疾人士爭取應有權利、幫助長者捍衛尊嚴並實現生活獨立、支持可負擔住宅等基本權利，以及倡導租戶的正當權益。

Centro Legal de la Raza

3400 E 12th Street, Oakland, CA 94601

電話：510-738-3906

網站：<https://www.centrolegal.org/>

電郵：tenantsrights@centrolegal.org

Centro Legal de la Raza 是成立於 1969 年的法律服務機構，專門提供雙語法律代理、教育以及出庭辯護服務，進而保護和推動低收入、移民、黑人及拉丁裔社區的正當權利。Centro Legal de la Raza 提供優質法律服務、合法權利科普教育以及青少年發展服務，確保加州北部與中部地區數以千計居民皆可透過法律伸張正義。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市 租金調整計劃 (Rent Adjustment Program)



阿拉米達縣社會服務局 (Alameda County Social Services Agency) **房屋和無家可歸者服務 (Housing and Homeless Services)**

網站：

https://alamedasocialservices.org/public/services/housing_and_homeless/housing_and_homeless.cfm

阿拉米達縣社會服務處提供現金補助或房屋補助券，協助縣內無家可歸和可能變成無家可歸的家庭和單身成人。

分享季節 (Seasons of Sharing, SOS)

電話：510-272-3700

網站：

https://www.alamedasocialservices.org/public/services/community/season_of_sharing.cfm

該縣 SOS 計劃獲私人資金支援，為阿拉米達縣居民提供一次性的危機援助，以滿足他們的住房和緊急家庭需求。補助金的申請除了必須符合特定條件外，還將以最值得且最需要補助的居民為主。不保證提供援助。欲知詳情，請致電上列自動預篩電話號碼，或瀏覽計劃網站。

灣區法律扶助會-阿拉米達縣辦公室 (Bay Area Legal Aid-Alameda County Office)

1735 Telegraph Ave, Oakland, CA 94612

電話：510-663-4755 | 法律意見專線：800-551-5554

服務時間：週一至週五上午 9:00 - 下午 5:00；中午 12:00 - 下午 1:00 為休息時間

網站：<http://baylegal.org>

為低收入人士提供法律資訊和協助。租戶可獲得以下方面的協助：迫遷、居住歧視、租約終止、爭議、不安全或不衛生的居住條件、被鎖在門外和斷水斷電，以及承租法拍屋的租戶。

可協助老年人的本地機構

老年人法律協助 (Legal Assistance for Seniors)

333 Hegenberger Rd, Suite 850, Oakland, CA 94621

電話：510-832-3040

服務時間：星期一至星期五上午 9:00 - 下午 5:00 (請致電預約)

網站：<https://www.lashicap.org>

電郵：las@lashicap.org

老年人法律協助以維護老年人的獨立生活與尊嚴為使命，提供法律教育、法律諮詢以及出庭辯護服務，助長者維護其合法權利。他們的願景是，無論社會或經濟狀況如何，所有長者都能過上不失體面的生活，並最大限度維持其獨立生活。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市 租金調整計劃 (Rent Adjustment Program)



Berkeley East Bay Gray Panthers

電話：510-842-6224

服務時間：週三下午 1:30 - 下午 4:00

網站：<https://www.eastbaygraypanthers.org/>

電郵：graypanthersberk@aol.com

Berkeley East Bay Gray Panthers 一直積極參與力求革新的政治運動，主張公義和民權，並為露宿者問題、住房負擔能力、氣候轉變、環境、反戰、老年人和青少年權益等議題出力。

可協助物業業主的本地機構

阿拉米達縣律師協會 (Alameda County Bar Association)

義務法律服務社 (Volunteer Legal Services Corporation, VLSC)

1000 Broadway, Suite 290, Oakland, CA 94607

電話：510-302-2222。按 4

網站：<https://www.acbanet.org/pro-bono-legal-services>

電郵：membershipassistant@acbanet.org

這是「低收入房東迫遷協助」法律諮詢所，也是阿拉米達縣唯一專為房東服務的免費法律諮詢所。

東灣出租房屋協會 (East Bay Rental Housing Association)

3664 Grand Ave, Suite B, Oakland, CA 94610

電話：510-893-9873

服務時間：週一至週五上午 9:00 - 下午 5:00 (中午 12:30 - 下午 1:30 為休息時間)

網站：<https://www.ebrha.com>

電郵：news@ebrha.com

EBRHA 是一所提供全方位服務的非營利機構，宗旨是致力推動符合地方條例和州/聯邦法律且公平、安全和良好管理的出租住宅。EBRHA 為出租物業業主和經理會員提供針對不同城市的適時培訓、一對一的物業管理建議、免費的租屋表格、建立人脈的良機，以及州份和當地辯護服務。EBRHA 透過社區改善工作和可持續發展計劃，為會員、左鄰右里和當地商業提供支援。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市 租金調整計劃 (Rent Adjustment Program)



住房與經濟權利倡議組織 (Housing and Economic Rights Advocates, HERA)

1814 Franklin St, Suite 1040, Oakland, CA 94612

郵寄地址：P.O.Box 29435, Oakland, CA 94604

電話：510-271-8443 (僅供預約)

傳真：510-868-4521

網站：<http://www.heraca.org>

電郵：inquiries@heraca.org

HERA 是位於加州的非營利法律服務與辯護組織，致力於協助加州居民 (尤其是最為弱勢的群體) 共築環境安全、資金穩健、不受歧視和經濟犯罪侵擾的美好未來，全方位解決家庭金融困擾。HERA 提供免費法律服務、舉辦消費者研討會、展開專業人士培訓、提供社區規劃支援、制定創新的解決方案，並參與當地、州級及國家層面的政策工作。

可協助物業業主和租戶的本地機構

種子社區調解中心 (SEEDS Community Resolution Center)

2530 San Pablo Ave, Suite A, Berkeley, CA 94702

電話：510-548-2377

傳真：510-548-4051

網站：www.seedscrc.org

電郵：casedeveloper@seedscrc.org

服務時間：週一至週四上午 9:00 - 下午 5:00

提供調解、引導和培訓服務。在所有相關當事人通過電話完成受理程序後，可在 10 至 14 天工作日內安排調解會議；每位相關當事人參加每場調解會議時需付費 \$75 (提供按比例收費方式；沒有人會因為缺少經費而被拒於門外。)

其他資源

亞太環保網絡 (Asian Pacific Environmental Network)

426 17th St #500, Oakland, CA 94612 和 1200 Harrison St, Oakland, CA 94607

電話：(510) 834-8920 和 (510) 593-2283

網站：www.apen4ej.org

電郵：apen@apen4ej.org

亞太環保網絡積極組織團結一致的社會活動，致力推動經濟和社會機構從根本改變，使其優先考慮社會公益而非經濟利益；捍衛個體權益，讓每個人都能過上體面、安全以及負擔得起的優質生活；積極維護居民參與決策的權利，讓大家掌握有關社區生活的話語權。亞太環保網絡希望讓所有人平等享受環境資源。亞太環保網絡重點關注亞裔移民和難民群體。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



新租戶核對清單

- ✓ 仔細研究每個選項：避免落入 Craigslist 和其他地方的潛在詐騙陷阱 (試著探聽口碑和臉書社團討論)。如果還沒看過單位或未確認房東是誰，就被要求交付定金 - 請當心，這可能是一場詐騙！
- ✓ 請注意，如果你加入或屬於一個既有群體，其中最後一名原始租戶將要退租，你的房租可能會上漲到「市價租金」(月租經常為 \$500 - \$1000 或更多)。
- ✓ 申請前備好資料：包括信用分數或信用調查資料、擔保人、推薦信、審查費和保證金。
- ✓ 仔細閱讀你簽名的任何文件。在申請書和租約上，必須註明審查費未用到時將會退還，且應列有費用支出明細。
- ✓ 確認保證金不超出租金的兩倍 (無家具的單位) 或三倍 (有家具的單位)。
- ✓ 遷入以前，對公寓進行一次徹底的現場勘查。注意任何損壞或不乾淨的地方、與房東進行書面確認，並且拍下相片或影片存證。
- ✓ 考慮購買一份租戶保險合約 (許多合約的保險費每月不到 \$20)。
- ✓ 屋崙 (奧克蘭) 市法律: (1)將大部分租戶的租金漲幅限制在生活費漲幅 (CPI) 以內，並且(2)供迫遷保護(物業業主必須在十一個正當理由中至少持有一個理由，才能迫遷)。如果物業業主想出售物業，或者如果租約過期，這些都不算正當理由。

歡迎你來和租金調整計劃的房屋顧問談話，進一步了解你的權利。你可以親自到我們的辦公室，或致電 **(510) 238 – 3721**。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



保證金

保證金是在租賃開始時收取，用來作為預付租金或支付拖欠租金、租戶損壞修繕或清潔費用的任何付款、收費或押金。
首月租金付款不被視為保證金。

遷入前

無家具單位的保證金不得超出每月租金的兩倍；有家具單位的保證金不得超出每月租金的三倍。屋崙 (奧克蘭) 市的保證金不收利息。

租賃期間

在租賃期間，物業業主可以用租戶的保證金支付特定開支。

你的保證金可用於：

- 支付拖欠租金；
- 修繕由租戶或租戶的訪客造成的損壞，但不包括正常損耗；
- 進行必要的清潔；以及
- 在租約允許的情況下，支付修復或更換個人財產、家具或鑰匙的費用，但不包括正常損耗。

終止租賃

如果租戶計劃搬離居住單位，他們必須向物業業主提供 30 日通知。

在租賃最後兩星期內，物業業主必須向租戶發出書面通知，告知租戶他們有權要求業主對單位進行檢查，指出任何需要清潔的地方，以避免保證金被扣款。

如果修繕和清潔的扣款總額超過 \$125，物業業主必須將扣款項目逐一列出，並提供明細表給租戶。

當租戶完全搬離單位後，物業業主必須在 21 天內：

- 退還全部保證金，或
- 退還保證金餘款，並提供扣款明細表。

爭議

當租戶搬離物業後，如果物業業主未在 21 天內退還保證金或提供扣款明細表，租戶可以

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

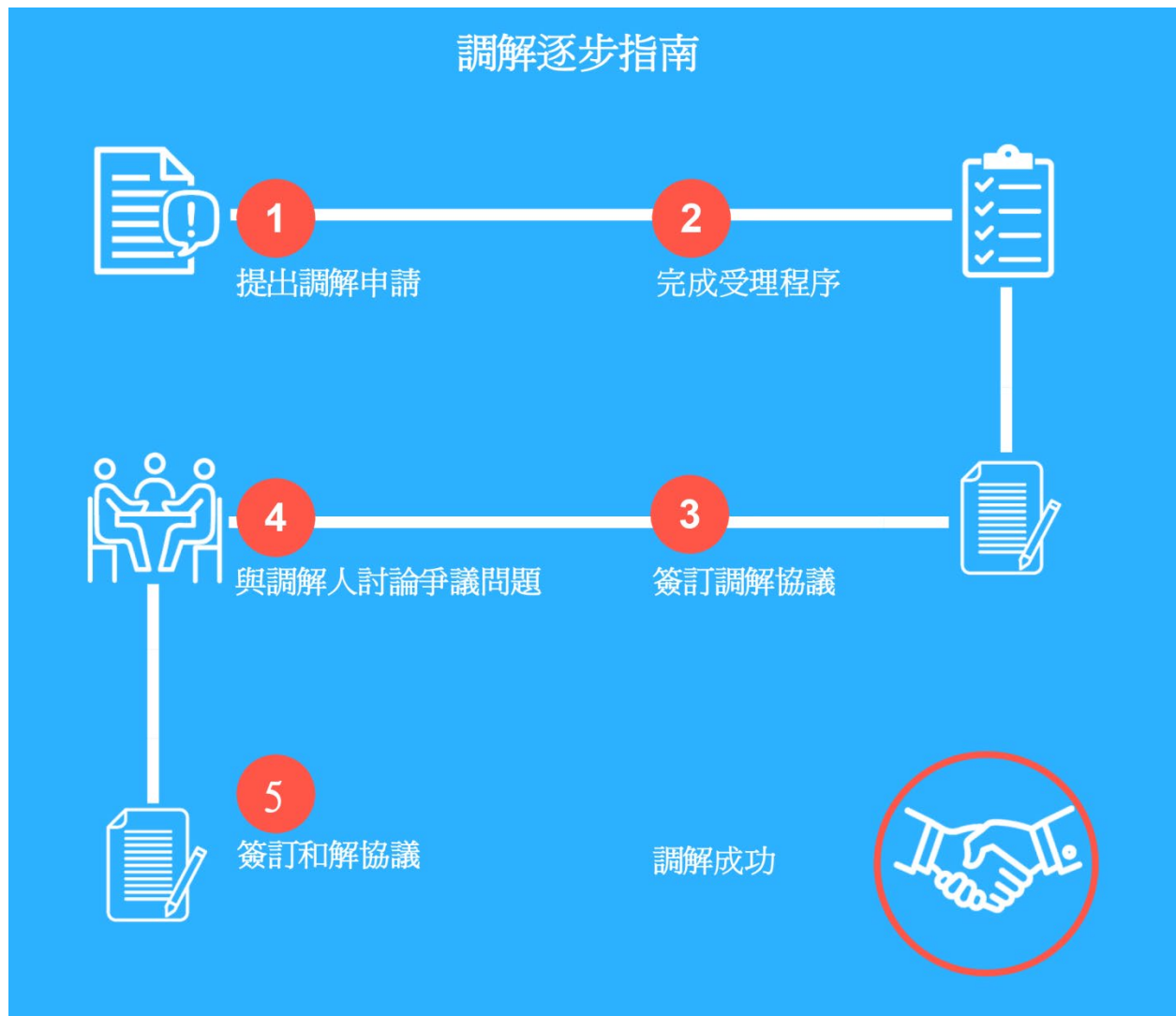


寫信要求業主提供扣款明細表或退還保證金。

如果物業業主未遵守規定，租戶可向小額索賠法院 (Small Claims Court) 提告，請求賠償爭議金額 (如果該金額少於 \$10,000)；如果物業業主惡意扣留保證金，最高可請求補償保證金兩倍的金額。

或者，租戶亦可利用租金調整計劃 (RAP) 的調解服務，解決有關保證金未退還的爭議。

RAP 調解程序



250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市

租金調整計劃



日期：

尊敬的_____：

我原是加州_____的租戶，直到最近才遷出。當我在
_____, _____ 遷入時，我支付了一筆保證金，金額是 \$_____。

我在_____ 遷出。

《加州民法》(California Civil Code) 第 1950.5 節規定，當租戶遷出居住單位後，房東必須在
21 天內退還全部保證金，或者向租戶提供一張列出所有合法扣款的明細表，並且退回保證金餘款。

直到目前為止，我尚未收到任何保證金或帳目表。請在五個工作日內退還我的保證金。如
果我沒在_____ 以前收到全部保證金，

我將別無選擇，並將根據《加州民法》第 1850.5(1) 節，對你提出小額索賠訴訟，要求賠
償我的保證金外加保證金兩倍的法定賠償金。

請將我的保證金退還到以下地址：

謹致

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

屋崙 (奧克蘭) 市

租金調整計劃



日期：_____

房東 _____

地址 _____

城市，州，郵遞區號 _____

主旨：_____ 的 30 日搬離公寓通知

(出租單位地址)

尊敬的 _____：

我是加州屋崙 (奧克蘭) 市 _____ 的租戶，租期從 _____ 開始。

謹在此通知你，我 (們) 將於下述日期以前永久搬離此出租單位：_____。

我想請你在租期最後兩星期內，依州法要求對此出租單位進行一次巡查，讓我們能一起檢查單位

狀況，指出任何需要修繕/清潔的項目，以避免我 (們) 的保證金被扣款。以下是我有空的日期：

_____。如果這些日期都不方便，或者我們

應討論你在其他什麼時間可進行巡查，請通知我。

感謝你對此事的關注。

謹致

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



年度租金調漲限制
(O.M.C. 8.22.070)

《屋崙 (奧克蘭) 市租金調整條例》和租金調整計劃規章，是受規範出租單位的租金調漲規範。摘要如下。如果需要完整資料，請參閱條例和規章內容。

房客租金在 12 個月內只能調整一次。房客搬入日期算起滿 12 個月以前，或上次租金調漲後的 12 個月以內，都不能調漲房租。

《屋崙 (奧克蘭) 市租金調整條例》根據地區消費物價指數 (「CPI」)，訂出年度租金調漲限制。新的 CPI 在每年 7 月 1 日生效，租金調漲規定有效時間則到第二年的 6 月 30 日為止。

2022 年 7 月 1 日至 2023 年 6 月 30 日生效的 CPI 租金調漲年增率是 6.7 %。這個數字不能應用到 2022 年 7 月 1 日前生效的租金調漲率。

如果符合條例和規章列出的「正當理由」，物業業主的租金調漲率可超過 CPI 年增率。其中一個正當理由是「租金調整存放 (Banking)」。「租金調整存放」是指業主根據限制，可延後的 CPI 租金年增率 (請參閱規章附錄 A，10-5)。根據租金調整存放調漲的比例，不得高於目前 CPI 年增率的三倍。《條例》中也規定租金調漲時必須公告。加州法律規定，房東必須在租金調漲生效日期的 30 天 (調漲 10% 以下) 或 60 天 (調漲超過 10%) 以前，以書面方式通知房客。注意：屋崙 (奧克蘭) 租賃法禁止租金調整超過 10%。

2022 年 7 月 1 日：6.7%

2021 年 7 月 1 日：1.9%	2011 年 7 月 1 日：2.0%
2020 年 7 月 1 日：2.7%	2010 年 7 月 1 日：2.7%
2019 年 7 月 1 日：3.5%	2009 年 7 月 1 日：0.7%
2018 年 7 月 1 日：3.4%	2008 年 7 月 1 日：3.2%
2017 年 7 月 1 日：2.3%	2007 年 7 月 1 日：3.3%
2016 年 7 月 1 日：2.0%	2006 年 7 月 1 日：3.3%
2015 年 7 月 1 日：1.7%	2005 年 7 月 1 日：1.9%

50 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

CIUDAD DE OAKLAND

Programa de Ajustes en el Alquiler



2014 年 7 月 1 日 : 1.9%	2004 年 7 月 1 日: 0.7%
2013 年 7 月 1 日 : 2.1%	2003 年 7 月 1 日: 3.6%
2012 年 7 月 1 日 : 3.0%	2002 年 7 月 1 日: 0.6%
	1995 年 7 月 1 日 - 2002 年
	6 月 30 日 : 每年 3%

50 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



迫遷需要有正當理由

(《屋崙 (奧克蘭) 市政法規》第 8.22.300 節)

註：根據屋崙 (奧克蘭) 市法律，舉凡租約過期、物業出售 (包括因法拍造成的轉讓)、轉換為共管公寓，或聯邦《第 8 節》(Section 8) 單位狀態改變，都不是迫遷的「正當理由」。

注意：迫遷事宜可能很複雜。如果你收到迫遷通知，或正在考慮向租戶送交迫遷通知，請儘快致電 510-238-3721 聯繫一名租金調整計劃 (RAP) 房屋顧問。

在屋崙 (奧克蘭) 市，物業業主只有持「正當理由」才可終止租期或強迫租戶遷出。業主在終止租期或迫遷通知上，必須具體指明以下十一個「正當理由」中的一個：

1. 未付租金。
2. 已書面通知要求停止嚴重違反租約行為，但行為仍然繼續。
3. 拒絕簽訂大致與舊租約具有相同條款的新租約。
4. 造成單位重大損壞。
5. 已書面通知租戶停止打擾其他租戶的平靜生活，但行為仍然繼續。
6. 在物業範圍內從事非法活動。
7. 在收到適當的書面通知後，拒絕讓物業業主進入修繕。
8. 該單位是物業業主的主要住所，且物業業主想依據業主與現任租戶的租約約定，搬回該單位居住。
9. 物業業主想使用該出租單位，作為在冊物業業主或業主之配偶、同居伴侶、子女、父母或祖父母的主要住所。
10. 物業業主根據加州《艾利斯法案》(Ellis Act)，將該單位從出租市場上撤回。
11. 物業業主準備進行重大修繕，但單位內有人居住時無法施工，且可能影響樓宇內租戶的健康和安全。

迫遷行動的第一步是發出租期終止通知。若要迫遷成功，物業業主必須向租戶提供正確的合法通知。租戶可提出理由來質疑該通知和接下來的迫遷行動。

所有迫遷通知都必須包含迫遷理由和一段聲明，說明租戶可向租金調整計劃 (Rent Adjustment Program) 尋求有關迫遷的建議。具體的聲明寫法可見於「正當理由條例」(Just Cause Regulations)。每當業主向租戶送交一份迫遷通知後，都**必須在 10 天內**將一份副本提交給租金調整計劃。若物業業主未提交通知副本，這可成為造成任何「非法扣押他人物業」的抗辯理由。租金調整計劃會保留通知副本一 (1) 年。



租戶保護條例通知

(O.M.C.8.22.600 及其後條款)

2014 年 11 月 5 日，屋崙 (奧克蘭) 市議會通過了《租戶保護條例》(Tenant Protection Ordinance，簡稱 TPO)，禁止業主及其代理人 (如物業經理和承包商) 對租戶做出各種騷擾行為，藉此加強現行法律與租約對租戶的保障。《租戶保護條例》訂定的補救措施可經由私人民事訴訟強制執行。

此外，《租戶保護條例》還禁止業主做出可能逼迫租戶非自願搬離出租單位的行為。以下僅摘要列出一些非法行為；如需完整清單，請參閱隨附的《租戶保護條例》文件，或參閱《屋崙 (奧克蘭) 市政法規》第 8.22.600 節 (Oakland Municipal Code Section 8.22.600)。

物業業主及其代理人不得惡意從事以下任何行為：

1. 中斷出租單位的各項服務。
2. 不進行修繕和維護。
3. 在完成修繕時不進行盡責調查 (例如不合理的延遲) 或遵守適當的行業準則。
4. 濫用業主可出入出租單位的權利。
5. 未事先取得租戶書面同意，即移除私人財產、家具或其他任何物品，但依法授權者除外。
6. 以自認或確實的移民身分為由，威脅向執法單位舉報租戶或其同伴。
7. 透過詐騙、恐嚇或強迫手段影響租戶，使其搬離租房。
8. 在六個月 (6) 內超過一次提議付款請租戶搬離，但租戶已出具書面聲明表示不想收到此類提議。
9. 試圖以恐嚇方式脅迫租戶接受付款並搬離。
10. 用言語或動作威脅對租戶或其訪客造成人身傷害。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



11. 妨礙租戶安靜使用和享受出租單位的權利。
12. 拒絕接受或承認收到租戶的合法租金付款。
13. 超過三十 (30) 天拒絕兌現租金支票，除非已給了租戶書面付款收據。
14. 妨礙租戶保有隱私的權利，包括不必要地詢問租戶的移民身份。
15. 單方面強加新的實質性租房條款。
16. 為了迫使租戶搬離而取消房屋服務。
17. 從事違反特定加州法律的行為，包括《安魯民權法案》(Unruh Civil Rights Act) 所禁止的歧視，以及其他法律所禁止的非法鎖在門外和切斷公用事業服務。
18. 向租戶謊稱他們必須搬離出租單位。

附註：當租戶的權利受到違反《租戶保護條例》行為的侵害時，可向法院對物業業主提出民事訴訟。《租戶保護條例》為老人、殘障人士和/或災難性病重租戶提供更高保障。違反者可能要承擔三倍的損害賠償責任，包括精神壓力的損害。若是修繕方面的違法行為，租戶必須先發出十五 (15) 天違法通知。

《租戶保護條例》規定，如果出租單位位於有室內公共區域的建築內，業主必須張貼一張「租戶保護條例通知」。該通知必須使用市政府職員指定的表格，張貼在至少一個此類公共區域內。

如果你遇到上述任何一種行為，可致電 (510) 238-3721 或發電郵到 rap@oaklandca.gov 聯繫租金調整計劃 (Rent Adjustment Program)，進一步了解詳情。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



房東的權利和責任

在單位出租以前，房東有以下權利：

1. 提供和宣傳要出租的空置單位。
2. 篩選可能的租戶。
3. 選擇將入住出租單位的租戶。
4. 收取第一個月的租金和保證金。

當出租單位租出去後，房東有以下權利：

1. 向租金調整計劃 (**Rent Adjustment Program**) 請求調解租戶問題。
2. 向租金調整計劃請求額外調漲租金或豁免相關規定。
3. 在下列情況進入出租單位：
 1. 有緊急狀況。
 2. 進行必要或雙方同意的修繕、裝飾、改裝或改善；提供必要服務；帶領潛在買家、租戶或工人看房。
 3. 當租戶遺棄或放棄該單位時。
 4. 遵照法院命令。
4. 根據「正當理由條例」 (**Just Cause Ordinance**) 啟動迫遷程序，部分理由包括：
 1. 未付租金。
 2. 不遵守租約中的重大條款。
 3. 租戶造成或允許單位損壞，並且拒絕支付損壞費用。
 4. 租戶拒絕簽訂大致與舊租約相同的新租約。

250 Frank H. Ogawa Plaza Suite 5313
Oakland, CA 94612
(510) 238-3721



租戶的權利和責任

根據《加州民法》第 1941.1 節 (Civil Code 1941.1)，租戶有以下權利：

1. 屋頂和牆壁不可漏水。
2. 門窗不可破裂。
3. 水管系統和煤氣必須正常運作。
4. 必須提供熱水和冷水。
5. 暖氣必須運作良好且安全。
6. 照明和電線必須運作良好且安全。
7. 提供足夠的垃圾桶和收集箱。
8. 地板、樓梯和扶手必須維護且安全。
9. 出租單位必須乾淨，沒有垃圾、老鼠或其他害蟲。
10. 必須連接下水道和化糞系統且正常運作。

另外，根據《加州健康與安全法》(California Health and Safety Code) 第 17900 至 17995 節，租戶有以下權利：

1. 運作良好的馬桶、洗手台和浴缸或淋浴設備。
2. 馬桶和浴缸或淋浴設備必須位於通風且能保有隱私的房間內。
3. 有廚房水槽，且不能用木頭等有吸收力的材料製作。
4. 每個房間可透過窗戶或天窗得到自然光 (為了通風必須至少能半開，除非有風扇提供足夠的機械式通風)。

根據《屋崙 (奧克蘭) 市租金調整條例》(O.M.C., Section 8.22.010)：

1. 租戶可要求召開調解會議，討論與房東之間的問題。
2. 租戶可針對高於 CPI 的租金調漲或單位服務縮減而提出請求。

250 Frank H. Ogawa Plaza Suite 5313
Oakland, CA 94612
(510) 238-3721



房東進入權利和租戶隱私權利

(加州民法 – 第 1954 節)

只有在下列情況下，房東才能進入居住單位：

1. 發生緊急狀況。
2. 進行必要或雙方同意的修繕、裝飾、改裝或改善；提供必要或雙方同意的服務；帶領潛在或實際的買家、抵押權人、租戶、工人或承包商看房；或根據第 1950.5 節 (f) 款進行檢查。
3. 當租戶遺棄或放棄該單位時。
4. 遵照法院命令。

註：除了緊急狀況或者當租戶遺棄或放棄該單位的情況以外，房東不得在正常上班時間以外的時間進入，除非房東在進入時取得租戶同意。

房東不得濫用進入權利或利用此權利騷擾租戶。

房東必須：

1. 提供合理書面通知給租戶，表明他/她打算在正常上班時間內進入。通知中應包括日期、大約時間和進入目的。
2. 在沒有反面證據的情況下，二十四 (24) 小時通知應被視為是合理通知。在沒有反面證據的情況下，房東打算進入前至少六 (6) 天郵寄通知應被視為是合理通知。
3. 親自遞交通知給租戶，將通知留給單位中年齡適合且具備判斷力的人，或以一般人會發現的方式將通知留在單位平常入口的門上、門附近或門下。

除非：

1. 如果進入目的是帶領潛在或實際買家看房，則可在口頭通知租戶物業要出售後的 120 天內，以口頭、當面、電話或書面方式通知。
2. 租戶和房東雙方口頭同意進入，以便進行雙方同意的修繕，或提供雙方同意的服務。同意內容應包括進入日期和大約時間 (在同意後一 (1) 星期內)。

註：根據本節規定，以下情形不需要提供進入通知：(1) 因應緊急狀況；(2) 租戶當時在家且同意進入；或 (3) 租戶已遺棄或放棄該單位。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



租金水平和租金規範 (O.M.C.8.22.070 及其後條款)

在屋崙 (奧克蘭) 市，所有不能豁免《屋崙 (奧克蘭) 市租金調整條例》(Oakland Rent Adjustment Ordinance) 的出租住宅單位，都有一個「**合法租金上限**」(lawful rent ceiling)，即物業業主可以對租戶使用或居住在出租單位及使用任何相關房屋服務 (如家具、停車和洗衣設施) 所合法收取的最高租金金額。租金不僅限於金錢，還包括向物業業主提供任何貨品或服務的公平市場價值 (用以替代金錢)。

根據《哥斯達-賀堅斯租屋法案》(Costa-Hawkins Rental Housing Act)，若是從 1996 年 1 月 1 日或以後開始的新租期，物業業主可以訂定起始租金和相關房屋服務。起始租金成為新的租金上限，只能以《租金條例》允許的幅度調漲。如果租期開始以後房屋服務有任何變更，這可成為調整合法租金上限的理由。

如果一個單位因嚴重違反衛生、安全、消防或建築法規，被政府單位開罰 (因災難造成的情形除外)，且在單位空出前持續超過 60 天未糾正違法情形，則物業業主**沒有**資格實施空屋調漲。

租金上限調漲

租金上限可隨**年度消費者物價指數 (CPI)** 的租金上漲幅度調漲，無需徵求租金調整計劃 (Rent Adjustment Program, RAP) 的同意。每年三月，RAP 會發佈下一個財政年度的 CPI (從 7 月 1 日到隔年 6 月 30 日實施)。

在 12 個月期間內，業主只能對受規範單位調漲一次租金。第一次租金調漲的生效日期，不得早於租戶搬進該單位後 12 個月。任何租金調漲必須在租戶第一次收到 RAP 通知後，至少經過六 (6) 個月才能實施。

如果業主不調漲租金，或調漲幅度低於 CPI 允許調漲幅度，則業主有權「累積」未使用的租金漲幅，留到以後再漲。然而，任何一次租金調漲的總漲幅，不得超過當時 CPI 允許漲幅的三倍，亦不得超過 10% 或者 5% 加上生活費用 (由加州政府訂定) 變動百分比 (取其中較低者)。以 2021 年 7 月至 2022

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



年 7 月而言，該百分比為 **8.8%** (州租金限制的實施曆制與市 **CPI** 不同)。任何租金漲幅均不得累積超過十 (10) 年。

物業業主必須至少提早 **30** 天向租戶發出書面調漲通知。如果租戶的租約為固定租期，除非租約中允許調漲，否則物業業主必須等到租約期滿，才能實施 **CPI** 調漲。

物業業主請求調整租金

物業業主可以向 **RAP** 請求調漲租金上限；但是由於空屋租金管制已經解除，現在較不需要提出這類請求。物業業主可提出請求的理由如下：

- **重大改善項目**：為了實質增加物業價值、明顯延長使用壽命以及主要惠及租戶等目的，物業業主進行單位或建築改善所支付的費用。物業業主有權將提出請求後 **24** 個月內支出的允許費用，以 **70%** 的比例轉嫁給租戶。
- **未保險的修繕費用**：為了修繕火災、地震或天災損害所支出的費用；僅限於保險不給付的修繕。
- **上漲的房屋服務費用**：業主也能以房屋服務費用上漲為由，提出租金調漲請求，以用來支付業主為了讓租戶使用或居住在出租單位所提供之保險、水電、暖氣和其他服務的上漲費用。
- **公平報酬**：業主也能以公平報酬為由，提出租金調漲請求。公平報酬是利用一種計算方式，衡量業主在一個基準年中是否能維持該物業的經營淨利 (會受 **CPI** 調整所影響)。

租戶請求調整租金

租戶可以向 **RAP** 請求調降租金上限；此類情況最常發生在出現以下情況時：違反房屋法規、有居住合宜問題、居住空間縮減或房屋服務縮減。租戶可使用此請求程序來達到調降租金的目的，作為這類問題的補償，並且促使物業

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



業主糾正重大缺陷或恢復原有空間或服務。租戶可提出請求的其他理由如下：

- **不合法的租金調漲：**租金漲幅超過 CPI 租金漲幅，或租金漲幅超過 5% 加上生活費用變動百分比。以 2021 年 7 月至 2022 年 7 月而言，百分比為 8.8%，或 5 年的租金漲幅超過 30% (除非是為了公平報酬而調漲)。
- **未提供 RAP 通知：**未提供 RAP 通知即送交租金調漲通知。
- **重大改善項目的攤還期限已過期。**
- **未正確送交租金調漲通知。**

聽證會

當租戶或物業業主提出請求後，對方有權利反對這項請求。若未提出反對，或請求人未要求召開聽證會，且聽證官決定無需證詞即可裁決，則將按行政程序決定請求結果，不召開聽證會。否則，將會召開聽證會。在聽證會中，公正聽證官將聽取證詞，並且收到有關請求事項的書面證據。無論聽證會是否召開，除非雙方達成和解協議，否則聽證官將簽發書面裁決，同意或駁回這項租金上限調漲或調降請求。如不同意聽證官的裁決，可向「租金委員會」(Rent Board) 七人小組提出上訴。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



租戶遷出協議條例

(O.M.C. 8.22.700 及以下條款)

自 2018 年 5 月 1 日起，屋崙 (奧克蘭) 市議會通過的「租客遷出條例」(Tenant Move-Out Ordinance, TMOO) 開始生效；此條例可為租戶面臨房東提出買回協議時提供保護。若租戶以同意遷離出租單位為條件而接受付款，這種情形可受到此條例的保護；這類出租單位是受到《屋崙 (奧克蘭) 市政法規》第 8.22.300 節 (Oakland Municipal Code Section 8.22.300) 「迫遷正當理由」(Just Cause for Eviction) 條款的保護。「迫遷正當理由」條款涵蓋了大部分的出租單位，包括一些沒有租金管制的單位。

根據 TMOO，在考慮是否接受房東的買回提議時，租戶有以下權利：

- 不簽訂租戶遷出協議的權利：
租戶有權拒絕任何買回提議，且房東禁止因提議被拒絕而報復租戶。
- 二十五 (25) 天內撤銷協議的權利：
租戶有權在簽訂協議後二十五 (25) 天內撤銷協議，但前提是租戶尚未遷出該單位。
- 諮詢律師的權利：
租戶有權在簽訂遷出協議前找律師諮詢。

屋崙 (奧克蘭) 市政府規定，當租戶因為非自己過失而失去住所或被迫遷出時，房東必須向租戶支付搬遷費用。這類由法律強制要求支付的搬遷費用不屬於買回協議，亦不會以任何方式限制買回協議的適用範圍。如果租戶和房東不清楚是否需要依法支付搬遷費用，以及必須支付多少金額，請聯繫租金調整計劃 (Rent Adjustment Program) 以了解詳情。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



統一住宅租戶搬遷條例 (O.M.C.8.22.800 及其後條款)

2018 年 1 月 16 日，屋崙 (奧克蘭) 市通過了「統一住宅租戶搬遷條例」(Uniform Residential Tenant Relocation Ordinance, Ord.No.13468)，訂出統一的搬遷付款費率。現在，本條例已擴大至業主或合格親戚遷入，以及因其他「非租戶過失」所造成的迫遷。

「統一搬遷條例」(下稱「條例」) 規定，如果租戶因法規遵循活動、業主或親戚遷入、《艾利斯法案》(Ellis Act) 或共管公寓改建而被迫搬遷，則業主必須向租戶提供搬遷付款。本條例所訂定的付款金額取決於租房面積，並於每年 7 月 1 日依通貨膨脹率調整。唯一的例外情況是，如果屬於暫時性的遵規迫遷，則業主必須支付臨時住房的實際支出。以下是直至 2023 年 6 月 30 日為止的基本付款金額：

- 套房/一室房：每間 \$7,945.29
- 二室房：每間 \$9,778.83
- 三室房或以上：每間 \$12,070.74

如果租戶家中有低收入人士、老人、殘障人士和/或未成年人，則每個單位有權向業主索求一筆二千五百美元 (\$2,500) 的額外搬遷付款。

如果業主在 2018 年 1 月 25 日以後送達的終止通知適用於新的搬遷付款規定，則通知中必須包含一項陳述，讓租戶知道他們有權利獲得搬遷付款。

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721



下列文檔「**Mold or Moisture in My Home: What Do I Do?**」(我的房屋裡長霉濕氣很重：我該怎麼辦?)由加州發佈。此文檔尚未翻譯為其他語言。如果您需要協助，請聯絡：

California Department of Public Health Indoor Air Quality Section
850 Marina Bay Parkway (EHLB)
Richmond, CA 94804-6403
電話：(916) 558-1784
電子郵箱：iaq@cdph.ca.gov

250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
(510) 238-3721

Mold or Moisture in My Home: What Do I Do?

Updated October 2016 (formerly *Mold in My Home—What Do I Do*)

This factsheet provides information about mold and moisture, health problems from mold or moisture, finding and cleaning up moldy or wet areas and materials, and how to keep mold from growing in your home.



Breathing in the air in places that are moldy or damp can harm your health. This includes places with:

- Visible mold
- Moldy or musty smells
- Materials or surfaces that stay damp or get damp often
- Water damage

Damp, moldy places allow mold spores and other tiny pieces of mold to get into the air, which can cause breathing problems and other health problems. Moist materials allow mold and bacteria to grow, and may also allow chemicals from building materials to get into the air.

Unless mold is controlled, it can damage floors, walls, ceilings, and other structures in your home. Mold can damage your furnishings, such as carpets, chairs and sofas. Clothes and shoes in damp closets can become stained and start to fall apart. **The longer that mold grows, the more damage it can cause.**

The best way to fix a mold problem is to:

- find where the damp areas and mold are
- fix any leaks or other moisture problems (such as condensation on windows or walls, garden sprinklers too close to your home, or blocked gutters)
- quickly dry out any damp areas or replace any damp materials
- quickly and safely clean up mold and remove any materials that are moldy

The most important thing you can do is get rid of mold and dampness as quickly and safely as possible. Mold problems will not go away unless moisture problems are fixed.

It is *not important* to have someone measure how much mold there is or to find out what kind of mold it is.

For the CDPH statement on dampness and mold, see www.cdph.ca.gov/Programs/CCDPHP/DEODC/EHLB/IAQ/CDPH%20Document%20Library/MoldDampStatement2017_ENG.pdf

Dealing with Wet or Moldy Materials in Your Home

★ ALWAYS IDENTIFY AND FIX MOISTURE SOURCES ★

NON-POROUS MATERIALS

Such as metal, plastic, glass, tile, laminate, solid or sealed wood

Dry material as soon as possible and clean off any mold

POROUS MATERIALS

Such as carpet, drywall, ceiling tile, fabric, foam, cardboard, paper, particle board

WET
but no mold
or moldy smell

Dry material
as soon as
possible

If mold grows or
moldy smell develops,
THROW OUT

LOOKS OR
SMELLS
MOLDY

REMOVE OR
THROW OUT

* Do not keep materials that have been soaked in water containing sewage, oil, or chemicals.

What is mold?



Mold is a kind of microscopic organism. Molds, like mushrooms and yeasts, are fungi and are important because they help break down dead plant and animal material and recycle nutrients in the environment. There are many kinds of mold and they can be found almost everywhere, indoors and outdoors. Mold growing on surfaces can look like a stain, or can be fuzzy or slimy. It is usually white, gray, brown, or black, but can also be green or red or other colors.

How are mold and moisture related?

To grow and reproduce, mold only needs food—any organic matter, such as leaves, wood, paper, or even dust—and moisture. Organic matter is almost always around, so whether mold grows depends mostly on whether or not there is moisture. **By fixing moisture problems, you can keep mold from growing in your home.**

Mold and Your Health

How am I exposed to indoor mold?

You can get exposed to mold by breathing in mold spores or tiny pieces of mold. Mold spores are like seeds. Spores can be on materials like walls, floors, or furniture, or float in the air. It is common to find spores in the air inside homes. Everyone breathes in some mold every day.

Most mold spores found in indoor air come from outside, but when there is moisture inside buildings, mold can grow quickly and release many spores into the air inside.



Can mold affect your health?

Molds can cause health problems through allergy, inflammation, or, less often, infection.

- **Allergic reactions** (often called *hay fever*), such as sneezing, runny nose, red eyes, and skin rash, can happen if a person who is allergic to mold breathes in mold.
- Moisture and mold can cause **asthma**, trigger asthma attacks, and make asthma symptoms, like wheezing and coughing, worse.
- If you have a mold or moisture problem in your home, you may be more likely to get **respiratory infections**, like colds or flu. In a very small number of people with weakened immune systems, mold can cause fungal infections.

Larger problems with indoor mold and moisture are more likely to cause health problems than smaller problems.

Even if you don't think mold is affecting you, **indoor mold and moisture are bad for your health**. If you can see or smell mold or have moisture or moisture damage, you should find where the moisture is coming from, fix any problems as soon as possible, and cleanup and remove the mold (see *Cleaning Up Mold*).

If you have a health problem you think is caused by mold or moisture, talk to your health care provider.

How much mold or moisture does it take to make me sick?

Some people are more sensitive and more likely to have health problems from mold or moisture. Sensitive people might have health problems even with exposure to small amounts of mold or moisture. Other people might only have health problems if they are exposed to more, or are exposed for a longer time.

People who are especially likely to have problems from smaller exposures to mold or moisture are:

- **People who already have respiratory conditions**, such as allergies or asthma, or are sensitive to other things in the air.
- **People with weakened immune systems** (such as HIV-infected persons or cancer patients who are getting chemotherapy).
- **Infants and young children, and seniors.**

Does it matter what kind of mold is in my home?

No one knows for sure whether some kinds of mold are more harmful than others. Also, mold affects different people in different ways. The best information we have says that it is not helpful to find out which kinds of mold are in your house. Some businesses offer to test the mold in your home and tell you what molds are there or how much mold there is, but you do not need these tests to know if you have a mold or moisture problem.

Mold and Moisture Problems in Your Home

How do I know if I have mold or moisture problems?

Mold growth may be visible, or it may be hidden underneath water-damaged surfaces (for example, wallpaper), behind furniture, along and behind baseboards, or inside walls, floors, or ceilings.

Signs of a mold or moisture problem in your home are:

- areas on floors ceilings, walls, woodwork or furniture that look stained or discolored, or have mold on them
- an earthy or musty smell
- damp areas or surfaces
- water stains on walls or ceilings
- water damage, such as warped floors, peeling or bubbling paint, or soft, rotting wood



You might also have a mold problem if people who are sensitive or allergic to mold have symptoms when they are in your home. Condensation on windows or walls also is an important sign of a moisture problem. **Because condensation also can be caused by a problem with a gas stove, heater, or dryer, inspect fuel-burning appliances every year, and contact your local utility or a professional heating contractor if you have questions.**



How can I avoid mold and moisture problems?

The best way to avoid mold and moisture problems is to watch for common sources of moisture inside and outside your home and then to get rid of any moisture as soon as possible.

- **Make sure you have good air flow whenever moisture is being produced**, for example:
 - vent clothes driers to the outside,
 - when showering or bathing, use an exhaust fan or open a window (and keep it running for 20-30 minutes after), and
 - when cooking, use an exhaust fan vented to the outside or open a window.
- **Don't hang wet clothes indoors** unless you can open windows to let moisture out.
- **Check crawlspaces and basements for dampness** and seal any leaks or cracks.
- **Run dehumidifiers** to remove excess moisture from damp indoor places, like basements.
- **Make sure your roof is in good condition** and fix leaks as soon as possible.
- **Aim garden sprinkler sprays away from the house.**
- **Be sure gutters and downspouts are clear**, and drain water away from your home.
- **Be sure the ground outside, all around the house, slopes away from your house.**
- **If you have a leak or flooding, take care of moisture immediately:**
 - Stop the source of the leak or flooding.
 - Remove excess water with mops or a wet vacuum or a pump.
 - Move wet items to a dry, well-ventilated area or place them outdoors to speed drying.
 - Move rugs and pull up wet carpet as soon as possible.
 - Open closet and cabinet doors and move furniture away from walls to increase airflow.
 - Where walls have gotten wet, remove drywall and baseboards, or pry open wall paneling, if necessary, to allow the area to dry thoroughly. (For more specific information, see additional resources listed under *Flood Cleanup*).
 - Run portable fans to increase air flow (but not if mold has already started to grow, as this could spread mold).
 - Do NOT use your home's central furnace or air-conditioning system if it or any of the ducts were flooded because this could blow mold all around your home.
- If you have a moisture problem in your home that you cannot fix yourself, **consider hiring a contractor or building expert to help.**

Moisture and Mold in Rental Homes

In California, tenants and landlords each have a part in keeping a home free from moisture and mold. Generally, the landlord must provide a unit that is fit for occupation and follows the building and health codes. The California Housing Code, as of January 1, 2016, says that if there is enough dampness or visible mold (or certain other conditions) in a dwelling that it is a danger to the health of occupants, the dwelling is substandard and must be remedied by the owner. Tell your landlord if you have this kind of problem and ask them to fix it. If the problem is not adequately fixed, you can contact your city or county code enforcement agency to ask for an inspection.

California Department of Consumer Affairs

California Tenants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities, Pages 36-47. Revised July, 2012.

www.dca.ca.gov/publications/landlordbook/catenant.pdf

U.S. Department of Housing and Urban Development

Tenant Rights, Laws and Protections: California

www.hud.gov/states/california/renting/tenantrights

- Do not depend on particle-removing air filters or air cleaners to solve a mold problem. It is important to identify and fix the underlying moisture problem, and to remove or clean moldy materials. Air cleaners should only be used for a short time to reduce mold in the air. Odor-removing air cleaners will not reduce mold in the air.
- Ozone-producing air cleaners are not effective in controlling indoor molds, even though they are sometimes sold with this claim. In addition, ozone from some air cleaners can irritate and permanently damage your lungs. Ozone can also damage materials such as rubber and plastic items in the home. CDPH strongly recommends that you NOT use an ozone-producing air cleaner. For more information, see Hazardous Ozone-Generating "Air Purifiers" at www.arb.ca.gov/research/indoor/ozone.htm.

Cleaning Up Mold in Your Home

Cleaning up mold quickly and safely is important, but **unless you find and fix the source of moisture in your home, your mold problems will return.**

Protect yourself and others from mold and chemicals

If you are susceptible to mold, or have a history of mold health effects, or the amount of mold is large, consider having another person or a professional do the work.

Cleaning up mold can expose you to a lot of mold (10 to 1000 times more than usual), and also to irritating detergents or disinfectants. Even though you (or your building manager) can clean up small mold problems—total area less than 10 square feet (about 3 feet by 3 feet)—you may want to try cleaning a small area first to make sure it does not affect your health. For large mold problems—more than 100 square feet (10 feet by 10 feet)—it might be better to hire an experienced contractor (see *Hiring a Contractor*). For medium-size mold problems, make sure you are able to clean up the mold safely and that your health will not be affected, or hire a contractor.

- **Keep others out of the work area** during clean-up
- **Use personal protective equipment**
 - Waterproof gloves
 - Goggles or protective glasses
 - N-95 respirator (available at hardware stores) to keep you from breathing in mold. An N-95 respirator has two straps and has a NIOSH approval number printed on it. Make sure the respirator fits tightly around your face.

Do not wear a “dust mask”. It will not protect you from mold.



- **Wear clothing that covers as much of your body as possible** (including covering hair and shoes) and that can be washed in hot water or thrown out.
- **Work for short time periods** and rest where you can breathe fresh air.
- **Air out your home well during and after the work.**

Respirators that protect you from mold spores will not protect you from chemical fumes from disinfectants. Make sure the work area has good air flow.

Never use a gasoline engine indoors (like a gas-powered water pump, pressure washer, or generator). You could expose yourself and your family to toxic carbon monoxide.

Do I Need to Disinfect?

We do not recommend using bleach, or products that contain bleach, to disinfect for mold. They are too hazardous, and not any more effective than safer methods. Using bleach can harm your health. Bleach can irritate the skin, eyes, nose, and throat, and cause breathing problems (like asthma) and injuries. Bleach can also damage clothing, shoes, and other materials. Bleach will not kill mold unless you have cleaned the area first and removed the mold, and then bleach is not necessary. Bleach does not keep mold from growing back.

You cannot completely disinfect porous materials that are moldy, such as carpets, fabric, or drywall (gypsum board). You must remove them. (However, you can reuse washable items like clothing if all mold and staining can be removed.) For smooth nonporous surfaces, scrubbing with detergents and other recommended cleaners will remove mold, without the need to disinfect. (Using bleach to disinfect is only recommended when there is a concern about infection, such as when there is a sewage spill.)

If you are thinking of using bleach despite these warnings:

- **Only use bleach or disinfectants on nonporous materials and only AFTER cleaning with soap or detergent.**
- **Never mix bleach with ammonia or anything other than water (unless product label allows for mixing) because this may produce toxic fumes.**
- It is very difficult to completely protect yourself from fumes and skin contact. Handle bleach with caution. Wear eye protection and gloves made to protect your skin from harsh chemicals. Make sure there is very good air circulation or outdoor air ventilation to reduce the fumes.

How to remove mold

- **First, fix the moisture problem and remove any excess water**—a wet/dry vacuum cleaner may help remove water and clean the area.
- Close off the work area to keep dust and spores from spreading to other areas.
 - Close the door or use plastic sheets to separate the room.
 - Set up a fan to pull the air out through a window or door to the outside.
 - Scrub the entire moldy area with a non-ammonia soap or detergent, or a commercial cleaner, in hot water, using sponges or rags, until all mold is gone.
 - Use a stiff brush or cleaning pad on cement-block walls and other uneven surfaces.
 - Rinse cleaned items with water and dry thoroughly.

For detailed information on cleaning up mold, go to www.epa.gov/mold/mold-cleanup-your-home.

What can I keep?

- **Keep items and materials that do not absorb water** (made of glass, plastic, metal, or ceramics) and can be cleaned of mold.
- **Keep items that do not have mold on them and do not smell moldy.**
- Some washable moldy items like clothing and bedding may be cleaned well enough to keep, so it may be worth trying.

What should I throw out?

Mold can grow quickly on porous materials (like fabric, carpet, carpet pads, and foam cushions) that have gotten wet. It's important to dry them as quickly as possible, before mold growth starts. A common rule of thumb is to discard porous materials if they are wet for more than 24-48 hours because they are likely to grow mold. However, if they look or smell moldy even before that, you should discard them. Because spores are more easily released into the air after moldy materials have dried out, remove moldy items as soon as possible.

Remove and throw out:

- **Wet materials that absorb water and look or smell moldy**, like drywall or gypsum board, ceiling tiles, drapes, upholstered furniture, and products made from particleboard.
- **Materials that have dried but look or smell moldy.**

Moldy wall-to-wall carpet can be hard to clean well. Throw out if the carpet, backing, or padding is moldy or has a moldy smell. Keep throw rugs that have gotten wet only if they can be thoroughly washed and do not smell moldy once they dry.

If there has been flooding, remove drywall/gypsum board to a level above the high-water mark. Look inside the wall space and throw out any material, like insulation, that is wet, moldy, or has a moldy smell.

If tightly bagged or enclosed, moldy items can be put in the household trash. Materials that have lead or asbestos in them must be taken to a household hazardous waste program. Some materials that might have lead or asbestos are:

- Ceiling tiles
- Vinyl floor tiles
- Painted wood, plaster, or drywall/gypsum board in homes built before 1978

Hiring a Contractor to Remove Mold

If you decide to hire someone to remove mold from your home:

- Make sure to hire a licensed contractor or other professional with experience and specific training in mold remediation or “mold abatement.”
- Although there is no license or certification by the State of California specifically for fixing moisture or mold problems, you can find professionals who are certified for mold abatement by national professional organizations and trade groups. Here are two examples.
- To find a contractor trained in mold remediation through the Institute of Inspection, Cleaning, and Restoration (IICRC), go to www.iicrc.org/locate-a-certified-professional/ and search for “mold remediation” services in your area.
- Go to the website of the Indoor Air Quality Association (IAQA) at www.iaqa.org/find-a-pro/ or call them at 844-802-4103 to find professionals trained in mold remediation.

When choosing a contractor, ask questions about their specific training and experience, ask if they have a license or certification for mold remediation, make sure they have insurance, and ask for references. Also, ask the contractor to explain the exact work they will do to solve your mold and moisture problem.

Additional Information

Your city or county health department may be able to answer questions or help you deal with mold problems. To find your health departments, go to www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/Local-Health-Department.aspx.

If you rent your home, tell your landlord that the moisture or mold problem needs to be fixed. (Mold or moisture problems that are bad enough to cause health problems for tenants are both listed in the California Housing Code as conditions that make a home “substandard.” Painting over mold is not good enough—the moisture problem must be fixed and any moldy materials cleaned or removed. If your landlord does not fix the problem, you can contact your county or city health inspector. The California Department of Consumer Affairs offers *A Guide to Residential Tenants’ and Landlords’ Rights and Responsibilities* at www.dca.ca.gov/publications/landlordbook/.

More Information About Mold in Buildings

U.S. Environmental Protection Agency

The Key to Mold Control is Moisture Control

www.epa.gov/mold/index.html

U.S. Centers for Disease Control and Prevention

Mold Information. Information on mold and health; an inventory of state indoor air quality programs; advice on assessment, cleanup efforts, and prevention of mold growth; and links to resources.

www.cdc.gov/mold/default.htm

Health Canada

Residential Indoor Air Quality Guidelines: Moulds (2007). Information on the Physical and Chemical Properties, Causes of Mold Growth, Health Effects, and the Canadian Guideline.

www.healthunit.org/hazards/documents/moulds.pdf

Cleanup Guidance for Mold

U.S. Environmental Protection Agency

Mold Cleanup in Your Home

www.epa.gov/mold/mold-cleanup-your-home

New York City Department of Health

Guidelines on Assessment and Remediation of Fungi in Indoor Environments

www1.nyc.gov/assets/doh/downloads/pdf/epi/epi-mold-guidelines.pdf

Advice for Tenants and Landlord

California Department of Consumer Affairs

California Tenants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities, Pages 36-47. Revised July, 2012

www.dca.ca.gov/publications/landlordbook/catenant.pdf

U.S. Department of Housing and Urban Development

Tenant Rights, Laws and Protections: California

www.hud.gov/states/california/renting/tenantrights

Flood Cleanup

American Red Cross/Federal Emergency Management Agency

Repairing Your Flooded Home. Guidance for recovery after flooding disasters addressing technical and logistical issues...

www.redcross.org/images/MEDIA_CustomProductCatalog/m4540081_repairingFloodedHome.pdf

Federal Emergency Management Agency

Initial Restoration for Flooded Buildings

www.ct.gov/dph/lib/dph/environmental_health/eoha/pdf/fema_initialrestorationfloodbldg.pdf

Technical information on Dampness and Mold in Buildings

U.S. Centers for Disease Control and Prevention

Prevention and Remediation Strategies for the Control and Removal of Fungal Growth

www.cdc.gov/mold/strats_fungal_growth.htm

NIOSH

Preventing Occupational Respiratory Disease from Exposures Caused by Dampness in Office Buildings

www.cdc.gov/niosh/docs/2013-102/

IAQ Program Information

CDPH Indoor Air Quality Section

850 Marina Bay Parkway (EHLB)

Richmond, CA 94804-6403.

Contact: iaq@cdph.ca.gov