

Tenant Relocation Assistance

(from CA Health and Safety Code, Article 2.5)

What It Is

- State law that allows relocation assistance to any tenant who is displaced, or subject to displacement, from a residential rental unit as a result of an order to vacate (red tag, yellow tag)

Assistance

- Equal to 2 months of the established fair market rent for the area, as determined by HUD, plus an amount sufficient for utility service deposits
- Paid by owner within 10 days
- Untimely payment

Determination of Eligibility

- Local enforcement agency determines:
 - Whether violation is so extensive that the immediate health and safety of the residents is endangered
 - Eligibility of tenants for relocation assistance
- Exceptions
 - Tenant caused or substantially contributed to the condition
 - Unit became unsafe or hazardous as the result of fire, flood, earthquake, or other event beyond the control of the owner
 - Owner not liable to pay if local enforcement agency does not provide for an appeals process for the order to pay benefits

Jurisdictional Options

- Local enforcement agency may advance relocation payments to tenant if the owner fails, neglects, or refuses to pay
 - Agency entitled to recover from owner ½ amount paid to tenant as penalty (not to exceed \$10,000)
 - Agency entitled to actual costs, both direct and indirect for administering the provision of assistance to displaced tenants
 - Requires local adopted policies