

FAQ: Tenant Rights After a Disaster

1. Do I have to keep paying rent if my home was destroyed in a disaster?

- No. Your lease has effectively ended, and you do not owe rent.
- Your landlord must return your security deposit within 3 weeks after you move out. They must explain any deductions in writing. Let them know where to mail the check.
- If you already paid rent for the month, your landlord must refund you for the days you couldn't live there. However, if you were behind on rent before the disaster, your landlord can take it out of your deposit. You can ask your landlord to forgive the rent, but they can sue you if you don't pay it.
- If your landlord refuses to return your rent or security deposit, you can sue them in small claims court. See our free guides at <https://lafla.org/get-help/tenant-small-claims>.
- Always communicate with your landlord in writing and keep records.

2. What if my home is not destroyed, but too damaged to live in right now?

- If your home is not fit to live in, or if it was “red-tagged” by the government, you can choose to end your lease *or* to return once your home is repaired.
- If you want to go back, tell your landlord in writing. The landlord will have to repair your home and make it livable again. You don't owe rent until the home is fit to live in.
- If you don't want to go back, tell your landlord in writing. (*See Question 1 for what happens when your lease ends.*)

3. What if my home is damaged, but still safe to live in?

- You must keep paying rent.
- Make notes on any problems and ask the landlord in writing to make repairs. You can also ask your landlord to lower your rent while your home is being repaired.
- If you decide to move, tell your landlord in writing at least 30 days in advance or within the number of days required by your lease. If you leave before then, you might have to keep paying rent unless you or your landlord can find someone to take your place.

4. My power, gas, or water is off because of the disaster. Do I have to pay rent?

- If you don't have essential utilities at home, you may not have to pay rent or the full amount of rent. Tell your landlord in writing that you will not be paying for those days, or if you already paid, that you need a refund for those days.

5. What do I do if I cannot return home because of ash and smoke damage?

- Apply for FEMA aid immediately (*see Question 8*). You may be able to receive help paying for somewhere to stay temporarily.
- If your home has ash or smoke damage, especially in the HVAC system, your landlord may be required to make repairs. Ask for the repairs as soon as possible in writing. Your landlord is allowed a reasonable time to make repairs. They only have to repair the structure of the home and any appliances that were included in the lease; they do not have to pay to replace your personal belongings.
- You have the right to live in a home that is in safe, livable condition, and you may have the right to pay reduced rent or no rent, depending how bad the issues are. However, any time you don't pay your rent for any reason, your landlord can attempt to evict you by filing a lawsuit in court. You can defend yourself in court by explaining the bad conditions, but you are not guaranteed to win.

6. What do I do if my home was not damaged, or only lightly damaged, but I cannot return because of an evacuation order or curfew?

- Apply for FEMA aid immediately (*see Question 8*). You may be able to receive help paying for somewhere to stay temporarily.
- Ask your landlord in writing if they will waive some or all of your rent until you can move back in. If you reach an agreement, get it in writing—even if you need to write it out yourself and send it back to your landlord for confirmation. If you stop paying rent without an agreement, your landlord could try to evict you by filing a lawsuit.

7. If I had to leave my home, does my landlord owe me money?

- If your home was completely destroyed, your landlord does **not** have to pay to help you move. You can apply for aid from FEMA and other programs (*see Question 8*).
- If your home was **not** completely destroyed and can be repaired, *and* if it is covered by certain tenant protection laws, your landlord may have to pay to help you move or stay somewhere else during repairs. Contact your local housing department to learn about laws that may protect your home (*see Question 14*).

8. How do I know if my home is safe to move back into?

- If your landlord used disaster assistance or insurance for repairs, the work will be inspected. Local governments also inspect major repairs. If you feel your home is still not safe, ask your local housing department for another inspection.

9. What if my landlord refuses to make repairs?

- Your landlord must keep your home in safe, livable condition.
- Keep written records of your repair requests and the landlord's responses.
- If your landlord does not make important repairs or fix serious problems, you can:
 - File a complaint with your local agency, such as:

- City of Los Angeles Housing Department (LAHD):
<https://housing.lacity.gov/residents/file-a-complaint> or 1-866-557-7368
 - LA County Department of Consumer and Business Affairs (DCBA):
<https://dcba.lacounty.gov/contact-us> or 1-800-593-8222
 - LA County Department of Public Health:
www.ph.lacounty.gov/ContactUs.htm or 1-888-700-9995
 - City of Pasadena Code Compliance Division:
www.cityofpasadena.net/planning/code-compliance or 626-744-8633
 - City of Santa Monica 311:
<https://311.santamonica.gov/csp> or 311
- Tell your landlord in writing that you will make the repairs yourself and subtract the expenses from your rent. Give them a record of your expenses.
 - Tell your landlord in writing that you will not pay some or all of your rent because they have not kept your home safe and livable.
 - File a lawsuit against the landlord asking the court to order them to make repairs.

10. How can I get help paying for temporary housing, food, replacing my damaged belongings, and other things I need?

- You will likely have to pay these costs upfront, but you can apply for reimbursement from insurance or government programs. Keep all your receipts for the applications.
 - If you have renters' insurance, file a claim as soon as possible. If your claim is denied, you have the right to appeal. If you don't know your renters' insurance information, ask your landlord if they have it on file, or if you are covered under their policy.
 - For help, contact the California Department of Insurance at 1-800-927-HELP or www.insurance.ca.gov. The nonprofit United Policyholders also has free guides to insurance claims after a disaster at <https://uphelp.org/disaster-recovery-help/2025cawildfires>.
- Government programs can only help with costs not covered by other sources. You will have to report other help you receive. You have the right to apply in your preferred language. If your application is denied, you have the right to appeal.
 - Apply for reimbursement from FEMA at disasterassistance.gov, by calling 1-800-621-3362, or by visiting a Disaster Recovery Center.
 - Apply for disaster loans from the SBA at www.sba.gov/funding-programs/disaster-assistance/california-wildfires.

11. How much can I be charged for housing and other needs during an emergency?

- California has declared a state of emergency in Los Angeles and Ventura Counties. Until **January 7, 2026**, price increases over 10% are banned for many basic needs, including

housing, rent increases and hotel or motel rooms for evacuees; food, gasoline, and emergency and medical supplies; and repairs and construction.

- Report illegal price gouging:
 - City of Los Angeles 311: <https://lacity.gov/myla311> or 311
 - LA County Department of Consumer & Business Affairs (DCBA): <https://dcba.lacounty.gov/portfolio/price-gouging> or 1-800-593-8222
 - California Attorney General: <https://oag.ca.gov/LAFires> or 1-800-952-5225

12. Can my landlord raise my rent after the fires?

- Maybe. It depends when your rent was last increased, and what protections apply to your home (like rent stabilization or the state Tenant Protection Act). Many homes in Altadena, Santa Monica, and other areas are covered by laws that limit rent increases. Your landlord must follow all existing housing laws and the emergency ban on price gouging (*see Question 10*).
- For more information about your protections as a tenant, visit www.stayhousedla.org/tenant-rights.

13. Can my landlord evict me to rent to someone else? Can I be evicted for hosting fire survivors?

- Your landlord must still follow all local eviction laws. In some cases, landlords can evict tenants to allow members of their family to move in. If your landlord tries to evict you, contact Stay Housed LA immediately at www.stayhousedla.org.
- Under an executive order by Governor Newsom, until March 8, 2025, your landlord cannot evict you for letting people live with you who had to leave their homes because of the fires.

14. Can I be denied housing or shelter because of my immigration status or identity?

- No. The law bans housing discrimination based on race, religion, immigration status, having children, disability, age, sexuality, gender, and source of income (like Section 8 or emergency vouchers). This includes emergency shelters, hotels, motels, and other temporary or short-term housing.

15. Where can I get help and find more information?

- Scan the QR codes below to visit the resource pages online.

<p><u>City of Los Angeles:</u> Emergency Resources for Those Impacted by Wildfires</p> 	<p><u>City of Los Angeles:</u> Rent Stabilization Overview</p> 
<p><u>Unincorporated LA County:</u> After the Disaster: Information for Landlords and Tenants</p> 	<p><u>Unincorporated LA County:</u> Rent Stabilization Program</p> 
<p><u>City of Pasadena:</u> Rent Stabilization Information</p> 	<p><u>City of Santa Monica:</u> Rent Control Information</p> 

- For more guides, workshops, or legal help if you get an eviction notice, contact Stay Housed LA at www.stayhousedla.org.