

charging you for "normal wear and tear," an accident not caused by you, a family member or a guest (such as a baseball from outside breaking a window), or something that is the SFHA's responsibility (the heater stops working).

In order to protect yourself, ask for a copy of the report the maintenance staff submits. Ask for a statement of any charges. The statement should say what the item is, a breakdown of costs for repair and replacement and justification of charges (why they believe it is tenant caused).

#### **If the Repairs Are Not Fixed:**

If you haven't had any response or your repairs weren't fixed, you can also call the City's Department of Building (DBI) Inspection at 558-6220 for other repair needs. They enforce the City's Housing Code and can fine landlords who do not cooperate. The DBI has an agreement with the SFHA to inspect and report code violations.

If you would like help getting repairs, call the **HRCSF** at 703-8644 or **drop in for counseling M-TH, 1-5, 427 S. Van Ness**. You can also call our hotline at 354-6353.

**IMPORTANT: DO NOT WITHHOLD RENT WITHOUT THE ADVICE OF AN ATTORNEY. While it is your legal right to withhold rent if you have serious code violations, doing so makes you vulnerable to eviction. Make sure you do it right to prevent eviction.**

#### **Legal Action:**

If you do not get your repairs fixed, you do have the right to sue in court. You may sue without the use of a lawyer in small claims court for damages under \$7,000. To find out more about this option, call 292-2914 or you can visit the Access Center's website: [http://www.sfgov.org/site/courts\\_page.asp?id=19649](http://www.sfgov.org/site/courts_page.asp?id=19649).

If you would like to consult an attorney to find out more about withholding rent or suing for damages, you can visit our website to see a list of legal resources for subsidized housing tenants: [www.hrcsf.org](http://www.hrcsf.org).

## **Public Housing Residents:**

### **Getting Repairs Done!!**



427 South Van Ness  
SAN FRANCISCO, CA 94103  
415-703-8634  
[WWW.HRCSSF.ORG](http://WWW.HRCSSF.ORG)

**TENANTS RIGHTS COUNSELING:**  
MONDAY-THURSDAY, 1-5PM  
415-703-8644

**PUBLIC HOUSING RENTER'S RIGHTS HOTLINE:**  
415-354-6353

Housing that is kept affordable by the US government (public housing, section 8, HUD-Subsidized), has some key differences than other "private-market" housing. Low-income housing is not covered by rent control so, you do not have the ability to file "repair and maintain" or "decrease in services" petitions with the rent board. However, you do have some additional resources for getting repairs that other tenants do not have, since your landlord has to meet federal housing standards as well as local codes.

By law, your lease should include certain provisions, which outline what repairs and maintenance the Housing Authority is responsible for. It should say that: your unit and project should be maintained in a decent, safe and sanitary condition. The building should be kept up to code, and the common areas should be kept clean and safe. All the necessary repairs should be made to your unit. The electrical and mechanical systems and the appliances provided must be kept in working order. You must have access to adequate trash receptacles for the project, and the unit should have running water and reasonable amounts of heat and hot water except where not required by law, or where the appliance is in the tenant's control. You have the right to complain

and request repairs if there is something wrong with your unit.

### **When you have a repair need**

The first thing to do if you have a repair need in your public housing unit is put it in writing and give a copy to the manager (always save a copy for your records). You may have already informed your manager verbally, but you still need to do this in writing for the request to be official. Many buildings have a repair request form available. You may mail or hand deliver this but, make sure to date and sign the letter and save a copy for your records. Ask for a response within a certain time period (between 3-10 days, depending on the seriousness of the problem) and be sure to ask for it in writing, so you have documentation of their answer.

If you do not get a prompt response to your repair request you can call to report the repair problem. The SFHA has a new repair reporting system in which you can either call the maintenance department at 715-3100 or you can dial 311. There is also a Public Housing Code Enforcement Hotline through the City Attorney's office that you can call to register a com-

plaint at 554-3977. Please note that reporting the repairs in this manner should not take the place of written communication with your management.

If you have a health related issue such as roaches or mold, you can also call the City's Department of Public Health at 252-3805 and ask for an inspection. They will document the problem and also force the SFHA to make the unit meet the health code.

It is very important to document every step of the way. It is a good idea to keep a log of the dates on which you sent the letters and the dates on which the responses came. Also be sure to keep a copy of all pieces of correspondence and inspection reports. This "paper trail" will help you if you end up needing to take legal action.

### **About Repair Charges**

The SFHA will charge a fee to tenants when they do a repair that they determine was "tenant caused." Fair examples of this are a drain that your child dropped a toy down, a carpet that you stained, a wall that you damaged when hammering. The SFHA should not be