

Just Cause Eviction

Just cause eviction programs are laws or ordinances that limit landlords’ ability to evict tenants except for specific and “just” reasons outlined in the ordinance.

Legal Context

What Does State Law Require?

[The California Tenant Protection Act of 2019](#) (AB 1482), codified as [California Civil Code Section 1946.2](#), provides baseline protections at the state level for multi-unit homes, prohibiting landlords from terminating tenancy without “just cause” once a tenant has continuously and lawfully occupied the rental unit for at least 12 months. Just causes fall into two categories: at-fault and no-fault evictions. At-fault evictions include default in the payment of rent or serious damage to the rental unit. No-fault evictions include situations where the tenant is not at fault but the landlord has legal cause to end the lease. SB 567 went into effect in 2024, allowing city attorneys and county counsel to enforce the Tenant Protection Act of 2019. The California Tenant Protection Act of 2019 will expire on January 1, 2030.

How Can Jurisdictions Implement Programs That Go Beyond State Law?

Local governments may expand the protections afforded to tenants by providing permanent protections and/or further limiting the ways tenants may be evicted beyond the limitations established in state law. Jurisdictions can do this by requiring specific protections for vulnerable tenants, by expanding the type of housing units subject to the ordinance and by adding language to close potential loopholes where more specificity is useful. Additionally, jurisdictions may create administrative bodies, such as rent boards, to make it more likely eviction protections will be enforced.

At-A-Glance

RELEVANT STATE LAWS

[The California Tenant Protection Act of 2019](#)

POTENTIAL FUNDING SOURCES

- General Fund
- Self-funded through rent board fees

COST

Just cause eviction programs can be budget neutral by adding an annual fee that is split by landlords and tenants.

ADMINISTRATIVE BURDEN

 Medium

While program administration is generally not burdensome, enforcement can be.

EXTRA CONSIDERATIONS

 Challenge to enforce

 Politically sensitive

 Highly effective

WHICH P?

Protection

POTENTIAL PARTNERS

- Legal Aid Groups
- Tenant Advocacy Organizations

OPTION FOR TOC POLICY COMPLIANCE?

Yes!



Program Design, Implementation and Evaluation Considerations

The callout box below labeled “TOC Policy Requirements” describes the policy features necessary for a jurisdiction to receive credit toward TOC Policy compliance. All other policy features discussed in this document represent details found in existing policies on the subject and a jurisdiction may want to consider them when adopting or implementing a policy, but nothing is required for TOC Policy compliance unless noted as a requirement in the “TOC Policy Requirements” callout box or the [TOC Policy Administrative Guidance](#).

Elements of the Program

- Clear definitions of what define “just causes,” or legal grounds for eviction
- Explicit notice requirements regarding advance warning if a tenant is subject to eviction
- Definition of the scope of the ordinance, including exemptions
- Explanation of enforcement mechanisms and often creation of an administrative body to enforce program compliance

Program Design Considerations

Jurisdictions may want to consider the following:

DEFINING “JUST CAUSES”: Limiting the legally recognized, or permitted, reasons for terminating a tenancy or evicting a tenant.

PROGRAM APPLICABILITY: Deciding what types of buildings just cause eviction programs apply to. Jurisdictions can consider applying protections to tenants in all units, including tenants without a lease.


SUPPLEMENTAL PROTECTIONS: Providing explicit protections for vulnerable populations, such as seniors, people with disabilities, or survivors of domestic violence. Jurisdictions can also prohibit the evictions (both at-fault and no-fault) of educators and families with children during the school year. For at-fault evictions, jurisdictions can also require the landlord to provide a written request to the tenant to stop the violation or a warning notice with the opportunity for tenants to comply.

PROVISIONS REGARDING “NO FAULT”

EVICCTIONS: One “no fault” eviction allowable under state law is when landlords evict tenants to occupy the unit themselves or for use by a qualified relative. To protect tenants, jurisdictions can provide more detail, such as the following provisions:

- Eligible relatives include a spouse, domestic partner, child, or parent of the landlord.
- The owner or qualified relative must move into the unit within three months of the tenant vacating and reside there for a minimum of three years.
- The landlord must provide 60 days’ written notice and submit the notice to the city, outlining tenant rights and relocation assistance where applicable.

PROGRAM FEE: Adding an annual fee set at the anticipated cost of running the program.

 **TOC Policy Requirements:** To comply with TOC policy, a jurisdiction’s just cause ordinance must not have a sunset date and must limit the legally recognized causes for eviction and/or expand the types of housing and tenancies covered by just cause protections under state law.

Program Implementation, Administration and Enforcement

Typically, just cause eviction programs are established through ordinances passed by the City Council or the Board of Supervisors. However, local governments don’t have to stop at adopting an ordinance: staffing, tenant

education, tenant legal services and proactive enforcement are key to prevent evictions without just cause. Local governments can use varied outreach strategies to ensure tenants and landlords are informed of their rights and obligations, and can ensure information is easily accessible through city websites, template forms for landlords, and portals for landlords to file required documentation. Partnerships with community organizations specializing in tenant advocacy can help local governments effectively reach tenants, especially vulnerable populations.

Just Cause Eviction programs are generally funded by program fees split between landlords and tenants, and administered by jurisdictions through a combination of a rent registry, rent program staff, and/or rent program board.

- **Rent Registry:** Tracks rental properties, evictions, rent increases and code violations.
- **Rent Program:** Administers tenant protection policies, offers counseling to both tenants and landlords, resolves disputes and oversees compliance with registration requirements.
- **Rent Board:** An appointed or elected body that hears appeals and enacts tenant protection regulations.

Jurisdictions may want to consider the following:

PROACTIVE MONITORING: Putting processes in place to track landlord adherence to registration, fee payment and termination notice filing.

EVICTON PRECLUSION: Preventing eviction cases from proceeding unless landlords have completed all required administrative steps, including fee payment.

ENFORCING PENALTIES: Outlining and enforcing penalties for landlords who illegally evict tenants, for example, fines, restitution paid to the tenant, and reinstatement of tenancy. Policymakers can also ensure that there is a clearly defined process for tenants to fight unjust evictions.

RELOCATION ASSISTANCE: In the case of “no-fault” evictions, providing support for displaced tenants, for example by requiring landlords to provide relocation assistance.



TOC Policy Requirements: The ordinance must require landlords to file notices of termination of tenancy with a designated local government agency and make failing to file these notices an affirmative defense for a tenant in an eviction case.

Program Evaluation

Just cause eviction programs can be evaluated to ensure program effectiveness and equity. If possible, potential data points for evaluation include the number and type of evictions filed, the number of tenants displaced, and compliance rates among landlords.

Complementary Policies

TENANT LEGAL ASSISTANCE: Supporting legal aid programs ensures tenants have access to resources for challenging unlawful evictions and asserting their rights.

RENT STABILIZATION: Just cause eviction programs are often more effective when paired with rent stabilization measures to prevent indirect evictions through excessive rent increases.

TENANT RELOCATION ASSISTANCE: Jurisdictions may require landlords to provide relocation assistance for no-fault evictions, with amounts adjusted for inflation and tailored to low-income, senior, or family tenants.

This document is intended to provide general information and does not constitute legal advice. Additional facts, facts specific to a particular situation, or future developments may affect the subjects discussed in this document. Seek the advice of your jurisdiction's legal counsel before acting or relying upon this information. For specific questions regarding TOC compliance, please reach out to TOCpolicy@bayareametro.gov.

Other Resources

EXAMPLES*

Ordinances

[City of Oakland - Just Cause Eviction Ordinance](#)

[City of Mountain View - Community Stabilization and Fair Rent Act](#)

Rent Registry

[City of San José - Rent Registry](#)

[City of Palo Alto - Rent Registry](#)

Rent Board

[City of San Francisco - Rent Board](#)

OTHER RESOURCES

[NLIHC - Promoting Housing Stability Through Just Cause Eviction Legislation](#)

[PolicyLink - Just Cause Evictions](#)

[Metropolitan Transportation Commission - Protection Policy 1: "Just Cause" Eviction](#)

**Note that examples have not been vetted for full TOC Compliance.*