



NOTICE TO APPLICANTS AND TENANTS:

OAKLAND/RICHMOND LAW PROHIBITS RENTAL DISCRIMINATION BASED ON CRIMINAL HISTORY

Fair Chance Access to Housing Oakland Ordinance No. 13581 C.M.S. (O.M.C. 8.25) and Richmond Ordinance No. 20.16 N.S.

IT IS UNLAWFUL FOR LANDLORDS TO DO ANY OF THE FOLLOWING WITH REGARD TO CURRENT OR PROSPECTIVE TENANTS:

- Inquire about criminal history
- Indicate that persons with criminal backgrounds will not be considered for housing
- Refuse to rent or terminate a tenancy based on criminal history
- Require disclosure or authorization for release of criminal history
- Demand higher security deposit or rental amount based on criminal history
- Refuse to allow the addition of an immediate family member based on the family member's criminal history
- Disqualify tenants from rental assistance programs such as Section 8 based on criminal history (subject to certain exceptions below)
- Take any other negative action against applicants/tenants based on criminal history

EXCEPTIONS:

LIFETIME SEX OFFENDERS: In some circumstances, landlords may check the state registry of lifetime sex offenders. Prior to doing so, a landlord must first:

1. Include a statement in the rental application informing applicants of the sex offender screening requirement;
2. Have already determined that an applicant meets all other rental criteria;
3. Provided the applicant with a conditional rental agreement;
4. Informed the applicant in advance of checking the sex offender registry; and
5. Either obtain written consent from the applicant or give the applicant an opportunity to withdraw their application prior to conducting a search.

PUBLIC HOUSING: Public housing providers (i.e. Oakland Housing Authority) may be legally required to exclude the following persons from public housing and/or find such persons ineligible for Housing Choice Voucher Programs (Section 8):

- Persons subject to lifetime sex offender registration (42 U.S.C. Sec. 13663(a))
- Persons convicted of manufacturing methamphetamine on federally-assisted housing property (24 C.F.R. Sec. 982.553)

Prior to conducting any required criminal history search, landlords must inform applicants in advance and give applicants an opportunity to withdraw their application.

SMALL PRIVATE RENTALS: The prohibition against consideration of criminal history does not apply to the following living situations:

- Single-family homes, duplexes, and triplexes where the owner occupies one of the units as a principal residence
- Units occupied by existing tenant(s) seeking to sublet or add/replace roommates

If you want to request a copy of this information in Chinese/ Spanish please contact: housingassistance@oaklandca.gov/510.238.6182

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Housing and Community Development Department
250 Frank H. Ogawa Plaza, Suite 6301, Oakland, CA

City of Richmond, City Manager's Office
450 Civic Center Plaza, Suite #300, Richmond CA

WRITTEN NOTICE AND OPPORTUNITY TO RESPOND REQUIRED

If a landlord takes any action against an applicant or tenant based on criminal history (such as refusing to offer a lease, refusing to add a family member, etc.), the landlord is required to provide the applicant/tenant with written notice and an opportunity to respond.

Notice must include:

- The reasons for denial or other action
- Instructions on how to file a complaint with the City
- A list of local legal services
- A copy of the criminal history report, background check, or other information received that is the basis of the decision

Tenant/applicant must be given opportunity to:

- Respond to the information
- Present any rebutting or mitigating information, such as evidence that the information is incorrect, was remedied, or otherwise should not be used to deny the applicant housing

IF YOU BELIEVE A LANDLORD HAS VIOLATED THE LAW BY INQUIRING ABOUT, REFUSING TO RENT TO, OR OTHERWISE DISCRIMINATING AGAINST YOU ON THE BASIS OF CRIMINAL HISTORY:

- 1) You may submit a complaint to the City by filling out the attached form and sending, along with documentation, to:

City of Oakland
Housing Resource Center
250 Frank Ogawa Plaza, # 6313
Oakland, CA 94612

City of Richmond
Charice Duckworth
Development Project Manager
510.412.2052
Email: Charice_Duckworth@ci.richmond.ca.us

Complaint forms may be emailed to:
housingassistance@oaklandca.gov
For more information call: Housing
Resource Center at: 510.238.6182 or visit
<https://www.oaklandca.gov/resources/fair-chance-access-to-housing-ordinance>

- 2) Attached is a list of legal services and other resources that may be available to assist you.

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Fair Chance Access to Housing Ordinance

Housing Violators Subject to Administrative Action

Violations by a housing provider of specific provisions of the Fair Chance Access to Housing Ordinance may be subject to an administrative citation.

The City may issue a citation for any violation of the Fair Chance Access to Housing Ordinance, including but not limited to the following:

- Inquire about criminal history
- Indicate that persons with criminal backgrounds will not be considered for housing
- Refuse to rent or terminate a tenancy based on criminal history
- Require disclosure or authorization for release of criminal history
- Demand higher security deposit or rental amount based on criminal history
- Refuse to allow the addition of an immediate family member based on the family member's criminal history
- Disqualify tenants from rental assistance programs such as Section 8 based on criminal history (subject to certain exceptions)
- Take any other negative action against applicants/tenants based on criminal history

If you believe there has been a violation, you may submit a request for the City or its authorized agent to investigate possible violations. Complete a written complaint on the attached Declaration Form and mail or email to:

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250 Frank Ogawa Plaza, # 6313
Oakland, CA 94612

City of Richmond
Charice Duckworth
Development Project Manager
510.412.2052
Email: Charice_Duckworth@ci.richmond.ca.us

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housingassistance@oaklandca.gov
For more information call: Housing
Resource Center at: 510.238.6182 or visit
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Declaration of Housing Applicant or Tenant

Full Name _____ Phone # _____

Address _____ City _____ Zip Code _____

1. Housing Provider:

Name, full address and phone number of the housing provider (if known)

Address of relevant property

2. Alleged Violation Options (check all that are applicable):

- Asked about criminal history
- Not considered
- Refused to rent/terminated
- Required disclosure/authorization
- Rent/deposit increased
- Refused family member
- Disqualified rental assistance
- Other _____

3. This Declaration informs the City about what I think is a violation of the Fair Chance Ordinance. (Please be as complete and accurate as possible. Attach extra sheets if necessary.)

4. The foregoing is true and correct to the best of my knowledge.

Signature

Date

- Check here if you are submitting documents (e.g., a copy of the advertisement or the rental application) with this Declaration. (Submitting documents that tend to support your allegations is optional but encouraged insofar as they would assist with this investigation.)



Local Organizations Providing Assistance to Tenants

Causa Justa :: Just Cause	Main office: 3344 International Blvd., Oakland, CA 94601 Housing Clinic location: 1419 34th Ave #203 Oakland, CA 94601 (NOTE: drop-in hours temporarily suspended as of 6/7/19) Tenant Hotline: 510-836-2687, General: 510-763-5877 Email: info@cjjc.org Website: https://cjjc.org	A nonprofit organization dedicated to defending and advancing the rights of California tenants for safe, decent, and affordable housing.
Centro Legal de la Raza	3022 International Blvd., Suite 410, Oakland, CA 94601. Office hours: Mon-Thurs 9:00 am-12:00pm, 1:00-5:00; Fri 9:00am-12:00pm Phone: 510-437-1554 Email: info@centrolegal.org Website: https://centrolegal.org Drop in Clinics: Every Tuesday, 9:00 AM: Centro Legal, 3022 International Blvd. Suite 410, Oakland, CA 94601 Every 2nd Thursday, 9–11 am: Eastmont Library, 7200 Bancroft Ave #211, Oakland, CA 94605 Every 3rd Thursday, 10 am–12 noon; West Oakland Library, 1801 Adeline St, Oakland, CA 94607	Centro Legal is a legal services agency protecting and advancing the rights of low-income, immigrant communities through bilingual legal representation, education, and advocacy, know-your-rights education and youth development.
East Bay Community Law Center	1950 University Ave., Ste 200 and 2921 Adeline St, Berkeley, CA 94703 Phone: 510-548-4040 Hours: Monday-Friday 9:00am-5:00pm Email: info@ebclc.org Website: https://ebclc.org	Counseling and assistance in filing legal paperwork (for low-income tenants only). Free community workshops for low-income tenants who have disputes with their property owners.
Eviction Defense Center	350 Frank Ogawa Plaza, Suite 703, Oakland, CA 94612 Phone: 510-452-4541 Hours: Mon/Tues/Thurs 9:00am-5:00pm Wed/Fri 9:00am-4:00pm; Closed 12:00-2:00pm Daily	Nonprofit provides low-cost legal services to tenants facing eviction in Alameda County and the city of Richmond. All services are offered on a sliding scale basis.
Oakland Tenants Union	P.O. Box 10573, Oakland, CA 94601 Phone: 510-704-5276 (leave a voicemail) Email: help@oaklandtenantsunion.org Website: https://oaklandtenantsunion.org Drop-in hours: 1st and 3rd Sunday 3-5pm, Oakland Public Library, Main Branch	A volunteer referral and resource organization of housing activists dedicated to protecting tenants' rights and interests. Volunteers may not be able to return your call right away.
Tenants Together	474 Valencia St #156, San Francisco, CA 94103 (no drop-in services) Tenants' Rights Hotline: 888-495-8020 Email: info@tenantstogether.org Website: www.tenantstogether.org	A nonprofit organization dedicated to defending and advancing the rights of California tenants for safe, decent, and affordable housing.
Bay Area Legal Aid- Alameda County Office	1735 Telegraph Ave, Oakland, CA 94612 (No walk-ins) Phone: 510-663-4744 Legal Advice Line: 800-551-5554 Tenants' Rights Legal Advice Line: 888-382-3405 M, Th, F: 9:30-12:30; T & W: 1:00-4:00pm Website: http://baylegal.org	Provides legal assistance regardless of a client's location, language or disability Tenants may receive assistance with: evictions, housing discrimination, disputes, unsafe or unhealthy housing conditions, lock-outs and utility shut-offs, and tenants of foreclosed properties.
Alameda County Social Services Agency Housing and Homeless	Website: https://alamedasocialservices.org/public/services/housing_and_homeless/housing_and_homeless.cfm	Alameda County SSA provides cash aid or housing voucher assistance to families and single adults who are homeless or at-risk of becoming homeless in the county.
Season of Sharing	Phone: 510-272-3700 Website:	The SOS program is a private fund providing one-time crisis based assistance for housing and

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	https://www.alamedasocialservices.org/public/services/community/season_of_sharing.cfm	critical family needs to Alameda County residents. Grants are based not only for criteria being met but also on merit and the greatest need. Assistance is not guaranteed. For more information, call the automated pre-screening phone number or visit the program website.
Berkeley East Bay Gray Panthers	Phone: 510-842-6224 Website: https://www.facebook.com/berkeleygraypanthers/ Email: graypanthersberk@aol.com	The Gray Panthers are involved in progressive education politics, social justice, civil rights for the homeless, housing affordability, climate change, the environment and against war.
Legal Assistance for Seniors	333 Hegenberger Rd, Suite 850, Oakland, CA 94621 Phone: 510-832-3040 Hours: Monday-Friday 9:00am-5:00pm (call for an appointment) Website: https://www.lashicap.org Email: las@lashicap.org	
SEEDS Community Resolution Center	2530 San Pablo Ave, Suite A, Berkeley, CA 94702 Phone: 510-548-2377 Fax: 510-548-4051 Website: www.seedscrc.org Email: casedeveloper@seedscrc.org Hours: Monday-Thursday 9:00am-5:00pm	Provides mediation, facilitation and training. Can schedule a mediation session within 10 to 14 business days after all parties involved go through an intake process by phone. \$75 per party involved, per mediation session (sliding scale available; no one is turned away for lack of funds).
Housing and Economic Rights Advocates (HERA)	1814 Franklin St, Suite 1040, Oakland, CA 94612 Mailing Address: P.O. Box 29435, Oakland, CA 94604 Phone: 510-271-8443 (No drop-ins) Fax: 510-868-4521 Drop-in hours for landlords: Tuesdays and Thursdays 9:30am- 1:00pm at RAP Website: http://www.heraca.org Email: inquiries@heraca.org	Promotes affordable and fair credit access, asset building and preservation. Fights abusive mortgage servicing, problems with homeowner associations, foreclosure, escrow and other homeowner problem, predatory lending of all kinds, and discrimination in financial services and consumer transactions. Provides financial counseling to individuals and community education workshops. Trains service providers and other professionals. Translates clients' experiences and needs into policy work. Collaborates with many different partners across the state and country and creates positive solutions for vulnerable residents.
Bay Area Legal Aid	1025 Macdonald Avenue, Richmond, CA 94804 Legal Advice Line - Contra Costa County East: (925) 219-3325 https://www.baylegal.org/what-we-do/housing-preservation/	
Tenants Together (Tenant Rights Hotline)	995 Market Street, #1202 San Francisco, CA 94103 (415) 495-8100 or (888) 495-8020 http://www.tenants-together.org/index.php	California Department of Consumer Affairs (800) 952-5210 https://www.dca.ca.gov/dca/publications/legal_guides/index.shtml
Contra Costa County Superior Court Virtual Self Help Center	Contra Costa Superior Court: (925) 646-4099 http://www.cc-courthelp.org/ http://www.courts.ca.gov/selfhelp-housing.htm	Please note that the Superior Court does not offer legal advice. For a directory of free and low-cost legal help, see http://www.courts.ca.gov/selfhelp-lowcosthelp.htm Housing Law Clinics (provided by the Superior Court of CA - Contra Costa County) Richmond-Carroll Courthouse 100-37th Street, Room 202 Richmond, CA 94805 Mondays 9:00 a.m. - 1:00 p.m.* (arrive by 11:00 am to receive assistance) Pittsburg – Arnason Justice Center 1000 Center

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		<p>Drive Self-Help Center Pittsburg, CA 94565 Wednesdays 9:00 a.m. - 1:00 p.m.* (arrive by 11:00 am to receive assistance)</p> <p>*Days and times subject to change – please confirm with the Superior Court of Contra Costa County: http://www.cc-courts.org/</p>
Center for Human Development	<p>901 Sunvalley Blvd., Suite 220- map/directions Concord, CA 94520 925.687.8844 info@chd-prevention.org (general information) http://chd-prevention.org/our-work/resolving-disputes-together/ (dispute resolution)</p>	Mediation Services
The Congress of Neutrals	<p>1300 Civic Drive, Suite 102 Walnut Creek, CA 94596 925.937-3008 http://www.congressofneutrals.org/index.html</p>	Mediation Services
Department of Housing and Urban Development Public and Indian Housing	<p>Information Center: (800) 955-2232 http://portal.hud.gov/hudportal/HUD?src=/states/california/renting/tenantrights</p>	Public Resources
Richmond Housing Authority	<p>(510) 621-1300 Public Housing Program: http://www.ci.richmond.ca.us/86/Housing-Authority Housing Choice Voucher Program (Section 8): http://www.ci.richmond.ca.us/223/Housing-Choice-Voucher</p>	Public Resources

For emergency shelter, contact Eden Information and Referrals: 510-537-2552.

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