

Uninhabitable Conditions

Why current city Code Enforcement practices are insufficient

A photograph of a multi-story apartment building with balconies, overlaid with text. The building is light-colored with dark window frames and balconies. The text is centered over the building. The background shows a clear blue sky and some greenery on the left.

345 Magnolia Avenue



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All residential agreements contain an implied warranty of habitability: landlords are legally responsible for repairing conditions seriously affecting habitability.

Green v. Superior Court (1974) 10 Cal.3d 616 [111 Cal.Rptr. 704]

Hinson v. Delis (1972) 26 Cal.App.3d 62 [102 Cal.Rptr. 661].

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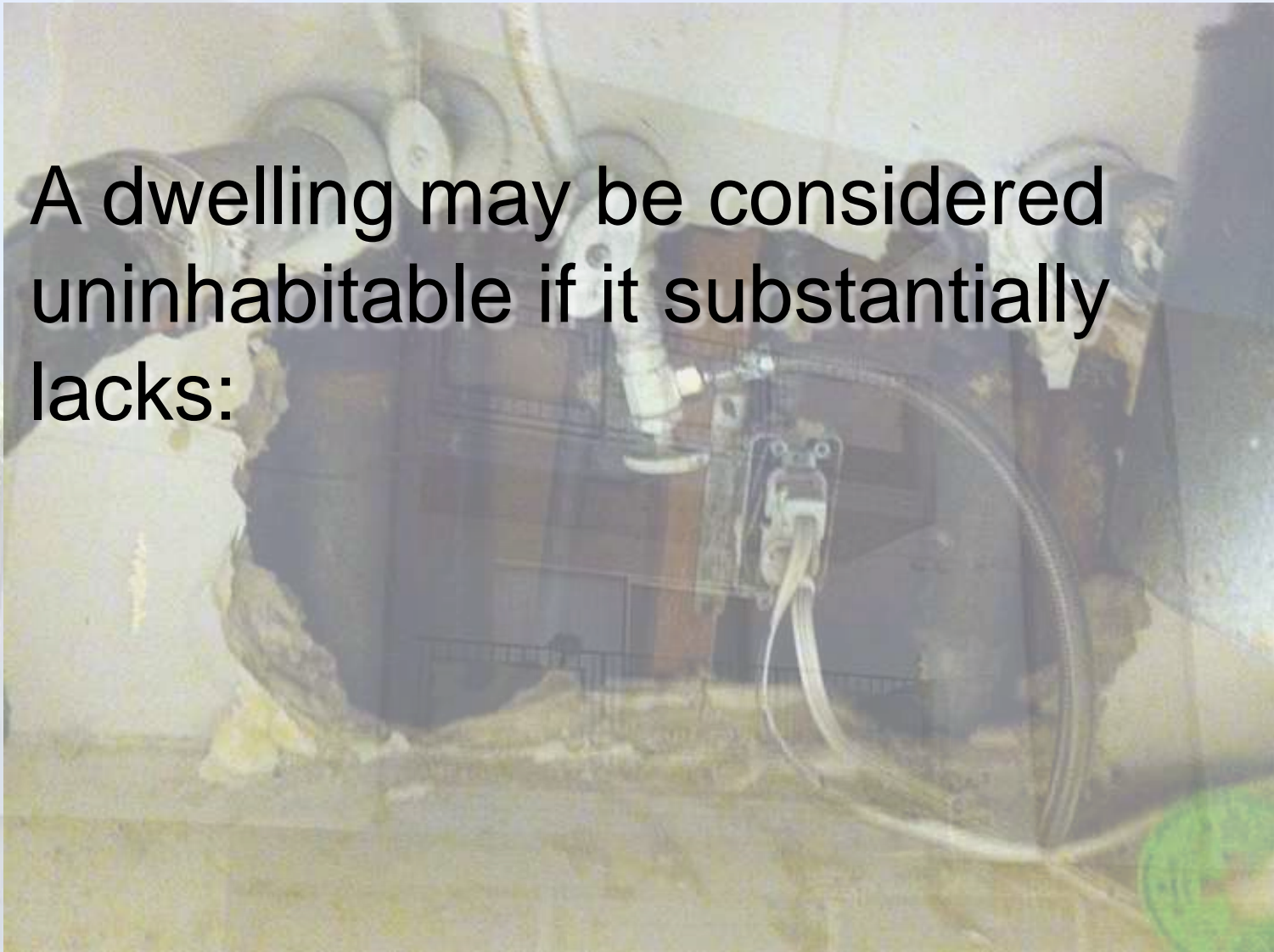
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A rental unit may be considered uninhabitable if it has inadequate sanitation, or a nuisance that endangers the health or welfare of occupants or the public.

Civil Code Section 1941.1 paragraph 1, Health and Safety Code Sections 17920.3, 17920.10.

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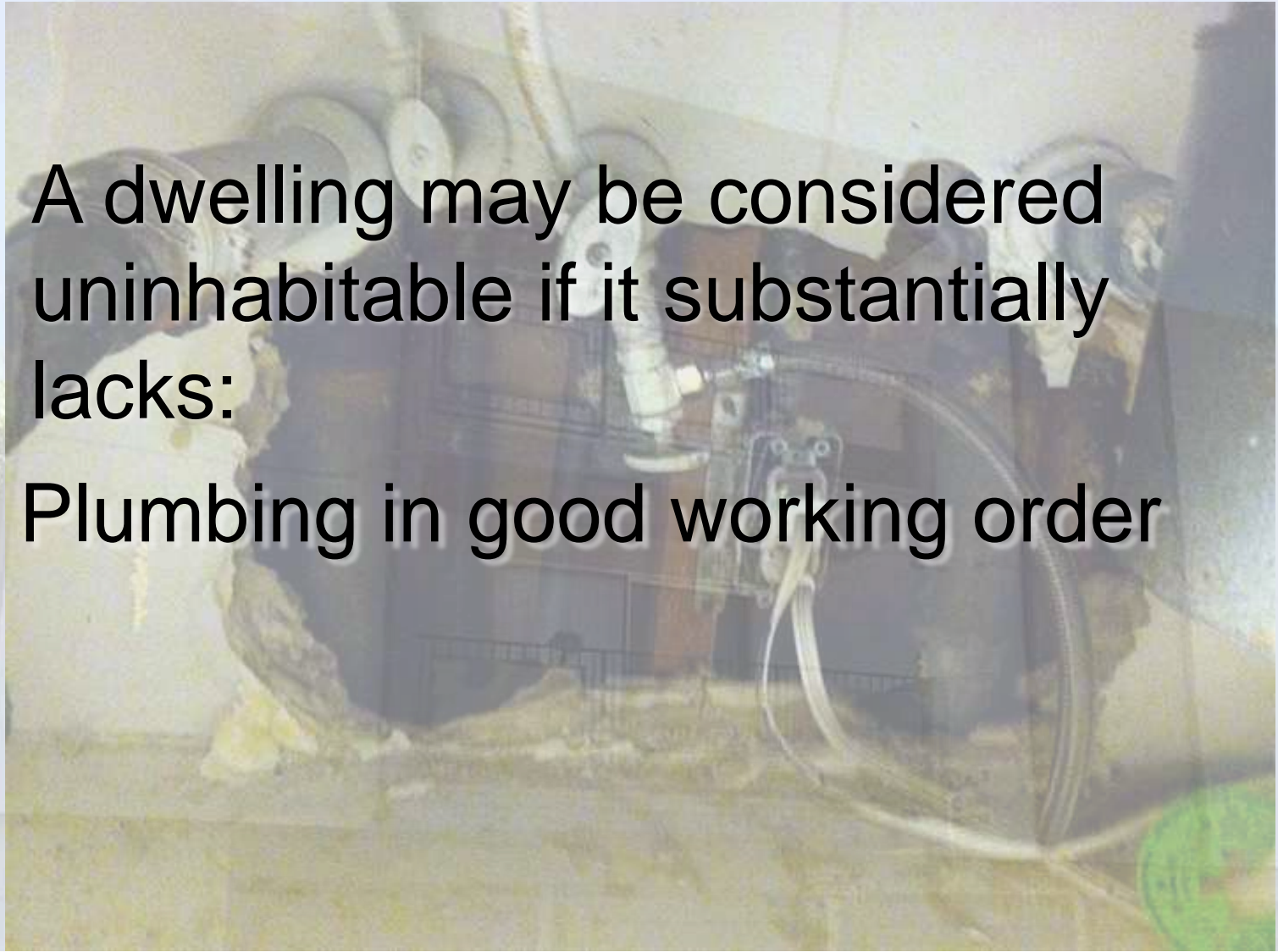
A dwelling may be considered uninhabitable if it substantially lacks:



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A dwelling may be considered uninhabitable if it substantially lacks:

Plumbing in good working order



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A dwelling may be considered uninhabitable if it substantially lacks:

Clean, sanitary buildings and grounds free from garbage and rodents

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10/15/15

345 Magnolia Avenue



OR
inadequate trash receptacles

1/15/15

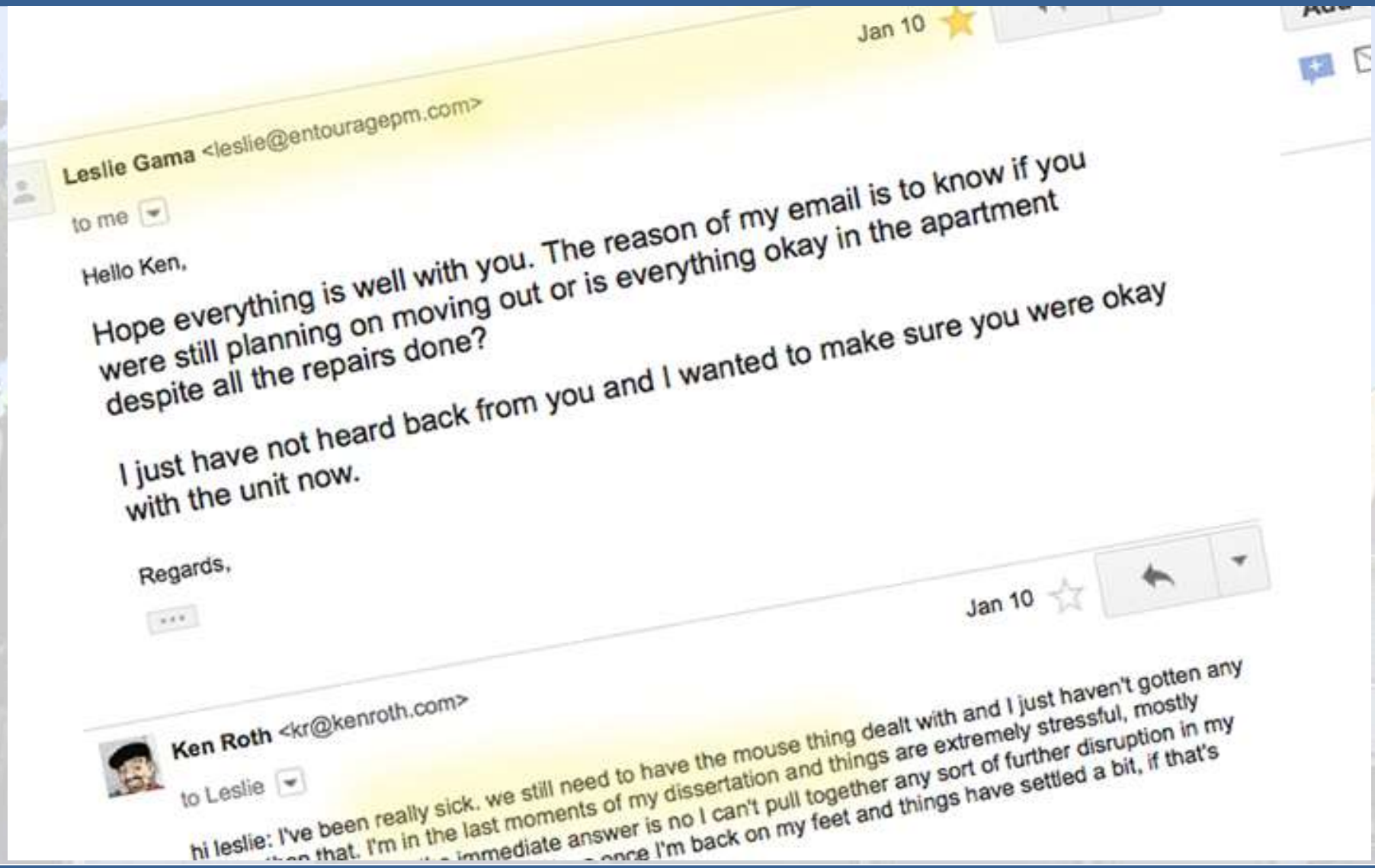
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OR
inadequate trash receptacles

6/15/15

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A tenant must notify and give the landlord reasonable time to make needed repairs.

Leslie Gama <leslie@entouragepm.com>
to me

Hello Ken,

Hope you are well with you. The reason I'm emailing you is if you were all planning on being out of the unit or is everything okay in the unit despite all the repairs done.

I just received an email from you and I wanted to make sure you were okay with the unit now.

Re: g

Ken Roth <kr@kenroth.com>
to Leslie

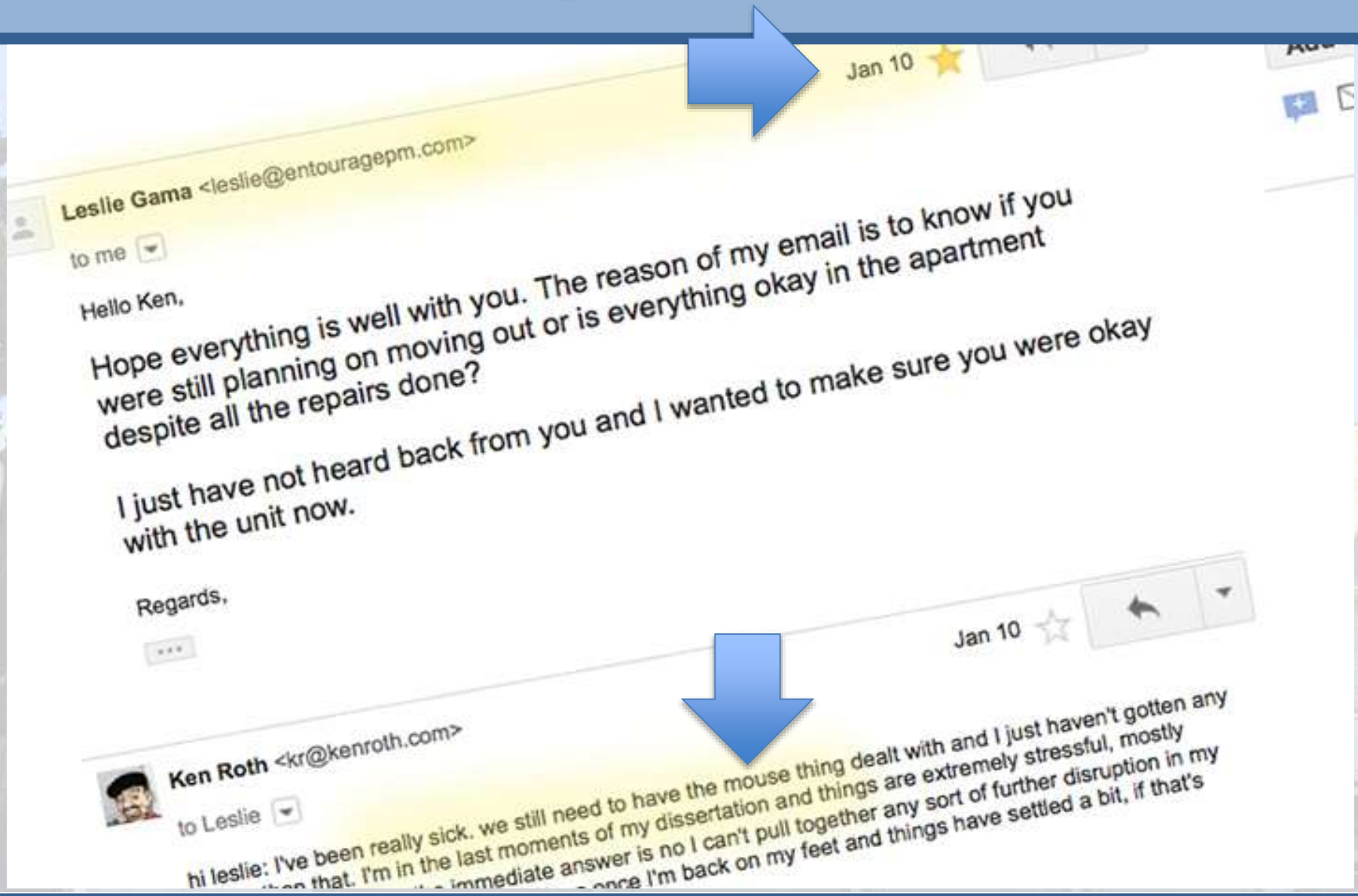
hi leslie: I've been really sick, we still need to have the mouse thing dealt with and I just haven't gotten any sleep that. I'm in the last moments of my dissertation and things are extremely stressful, mostly because I can't pull together any sort of further disruption in my immediate answer is no I can't pull together any sort of further disruption in my life. I'm back on my feet and things have settled a bit, if that's

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What is reasonable?
Usually 30 days or less
based on circumstances.

Department of Consumer Affairs, California Tenants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities. Revised July 2012.

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6/6/15
2 MICE



2010
5420-22A27
Label Plus
345 MAGNOLIA
Long Beach CA

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9/22/15

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10/18/15

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By law, tenants can withhold rent if the landlord does not fix serious defects that violate the implied warranty of habitability

Green v. Superior Court (1974) 10 Cal.3d 616 [111 Cal.Rptr. 704].

10/18/15

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Defects serious enough to justify withholding rent include:

9/27/15

A photograph showing a large pile of white plastic bags and other debris, likely trash, piled up against the side of a building. The bags are overflowing and some are tied with red handles. The scene is outdoors, with a building wall and a window visible in the background. The date '9/27/15' is printed in white in the bottom right corner of the image.

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Defects serious enough to justify withholding rent include:

Plumbing blockages

9/27/15



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Defects serious enough to justify withholding rent include:

Continued presence of rats, mice, and cockroaches

9/30/15

Uninhabitable Conditions

So where is Code Enforcement?



11/6/15