

## **AB 291 (Chiu): Protecting Immigrant Tenants**

*California renters shouldn't have to fear intimidation and retaliation in their homes*

**The Problem** While the majority of landlords are law-abiding, some unscrupulous landlords seek to avoid their legal obligations by threatening to report tenants to immigration authorities. In recent years, the Legislature has enacted strong protections against such threats in the workplace. It's time to provide tenants the same protections in their homes.

**Background** Landlords learn a lot about tenants: their social security numbers, the languages they speak, the times they're at home, and the identities of their families. Tenants have virtually no protection against misuse of this information.

Advocates in Los Angeles, Orange County, the San Francisco Bay Area, the Central Coast, and the Central Valley share stories of landlords threatening to report tenants to immigration authorities unless they immediately move out. In many cases, these threats are made to retaliate against tenants for reporting habitability issues, such as exposed electrical wiring and vermin, which landlords are legally required to remedy. In other cases, it's to avoid the statutory eviction process, which ensures due process for tenants at risk of losing their homes. Threats are even made in connection with gentrification, when, in order to raise rents, long-time tenants are suddenly targeted for eviction based on their suspected immigration status.

**The Solution** AB 291 would do as follows:

- Prohibit landlords from threatening to report tenants to immigration authorities, whether in retaliation for engaging in legally-protected activities or to influence them to vacate.
- Bar landlords from disclosing information related to tenants' immigration status.
- Provide tenants the right to sue landlords who report them to immigration authorities.
- Codify an existing defense to unlawful evictions based on immigration status.
- Prohibit questions about tenants' immigration status in discovery or at trial.
- Prohibit attorneys from reporting, or threatening to report, the immigration status of persons involved in housing cases.

Necessary exceptions are made throughout to safeguard landlords who act to comply with federal law. As versions of most of these protections already exist in employment law, it only makes sense to extend them to landlord-tenant law.

Most undocumented Californians are tenants. They know their landlords have the power to destroy their lives with a single phone call. Should they have to live in fear simply because they rent their homes?