

# FAQs for Tenants<sup>1</sup>

## Do I need to pay rent?

### **If the unit is completely destroyed, No.**

Your lease will end. You no longer have the right to live there and do not have to continue paying rent. The landlord must refund unused parts of rent and return your security deposit.

### **If the unit is “red tagged,” No.**

You do not have to pay rent while the unit is “red tagged” and you are unable to use the unit. Once a government inspector declares the unit to be safe to live in, you have the right to continue to live in the unit, and will need to start paying rent to your landlord.

### **If the unit is damaged but not destroyed, Yes.**

If you want to move out, you need to give your landlord a 30 day notice of the date you want to move out. You will need to pay rent for those 30 days.

## **Does the landlord have to repair or replace any furniture or appliances damaged or destroyed in the fire?**

If the damage was the landlord’s fault (for example, sprinklers were required for the building, but the landlord didn’t install them), then the landlord might be responsible to pay to repair or replace these items, and your personal property. If it was not the landlord’s fault, however, the landlord only has to repair or replace items included in the lease agreement (for example, refrigerator or stove

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<sup>1</sup> Updated October 2019.

- or furniture if the unit was furnished.) If you have renters insurance, you may be able to get money to help fix or replace these items.

### **Do I get any money to help me move?**

Maybe. After some disasters, local governments pay “relocation benefits” to tenants who have to move because of the disaster. Check with your local county or city to find out if this is happening where you are. Also, if you have renters insurance, you may be able to get help with money for moving. Your landlord is not required by law to help with moving costs because of a disaster.

### **Where can I get help with all this?**

- To get legal help, search for a legal aid provider near you using this link: <https://lawhelpca.org/legal-directory>
- Or find a local lawyer referral hotline by using this link: <https://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>
- If the President has declared a disaster with Individual Assistance, then FEMA will open a Disaster Recovery Center (DRC) in the area affected by the disaster. The DRC will have tables staffed by FEMA, the Red Cross, Legal Aid, and many other groups there to help. To find out if an Individual Assistance Disaster has been declared, go to <https://www.fema.gov/disasters>. (If it only says “Fire Management Assistance,” that means the President has not declared Individual Assistance disaster. That could still happen, but has not happened yet.)
- If the President HAS declared an Individual Assistance disaster, go to <https://egateway.fema.gov/ESF6/DRCLocator> to find a DRC near you. <sup>2</sup>

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<sup>2</sup> DLAC appreciates the hard work of Legal Aid of Sonoma County, Neighborhood Legal Services of Los Angeles NLSLA, and Legal Services of Northern California for this information in this sheet.

