Housing

A right to safe housing is meaningless when tenants cannot enforce it without risking displacement.

THE POSITION

Landlord neglect and retaliation can force tenants to choose between dangerous conditions and the loss of their home. That is exclusion from safe housing through unequal control of property and procedure. Matilda Law supports prompt inspections, firm repair duties, protection from retaliation, relocation when conditions are dangerous, and remedies that do not require tenants to risk eviction to demand basic safety.

California's habitability standards, New York's warranty of habitability, and existing repair-order systems show that states can set minimum conditions and enforce them. National reform should address infestations, toxic exposure, loss of heat or water, structural damage, and other neglect that makes a home unsafe.

SOURCES

California Civil Code § 1941.1
Lists conditions that can make a rental home unfit to live in.

New York Real Property Law § 235-b
Requires residential landlords to provide livable conditions.

GENERAL INFORMATION

This guide gives general information, not legal advice or representation. Laws and deadlines vary by place and circumstance. Check current official sources before acting.