



CITY OF OAKLAND
newsrelease
Office of the City Attorney

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Oakland's Tenant Protection Law Upheld by Appeals Court

OAKLAND, CA – On Tuesday, March 3, City Attorney John Russo announced that the city has prevailed in a 6-year lawsuit filed by landlords seeking to overturn Oakland's strong tenant protection law – the Just Cause for Eviction Ordinance.

A decision last week by the California Court of Appeal upholds the Just Cause ordinance and affirms the right of tenants to receive significant damages and attorney fees from landlords who break the law.

“Oakland has been hit with waves of illegal evictions as a result of the foreclosure crisis,” City Attorney Russo said. “Some banks and their agents have routinely violated the law by evicting good tenants from foreclosed apartments and homes without cause.”

“In these economic times, illegal evictions create serious hardships for families across Oakland,” Russo said. “This victory is especially important because it upholds the right of tenants – and the City – to go after the bad actors who are breaking the law and putting Oakland families on the street.”

Oakland's Just Cause ordinance, approved by voters and enacted in 2002, protects renters by requiring landlords to have a specific “just cause” for evicting a tenant. Causes include non-payment of rent, violation of the rental agreement, illegal or nuisance activity or a move-in by the property owner. The law also requires landlords to notify tenants of violations before they start the eviction process.

In 2003, the Rental Housing Association of Northern Alameda County and a group of individual landlords sued to invalidate the ordinance. Just Cause Oakland, a major backer of the law, intervened as a party in the case to defend the ordinance. In May 2006, the Alameda County Superior Court upheld all major provisions of Oakland's law. Both sides appealed. The city settled with the Rental Housing Association in 2007, but some individual landlords continued their appeal of the court's decision.

On February 26 of this year, the Court of Appeal affirmed the lower court's decision upholding the ordinance and its protections against arbitrary and capricious evictions.

[Click here for the full text of the court's decision.](#)

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