

Substantial Remodel Fact Sheet

In California, when a tenant receives a notice saying they are being evicted due to a “substantial remodel” or “substantial rehabilitation”, it is referring to a large repair that requires all of the following:

- 1) The landlord to have received a permit from the city or relevant county agency
- 2) The renovation to take more than 30 days
- 3) Removal of hazardous chemical materials or renovation of structural, mechanical, electrical, or plumbing, and
- 4) A renovation in which the tenant cannot safely stay within the dwelling during those renovations

Tenant Next Steps

Once you receive a notice:

1. Reach out to your property manager or landlord and ask what remodels will be taking place?

***DO NOT TELL LANDLORDS ABOUT ANY OF THE REQUIREMENTS THEY MUST MEET UNDER THE LEGAL DEFINITION OF SUBSTANTIAL REMODEL**

2. Reach out to the relevant city or county agency to see if a permit has been requested for your address



If the answer to the first two questions do not fall within the requirements of “substantial remodel” then wait until the end of the notice period on your Notice and send a letter stating:

“I will not be moving out as this is an illegal substantial remodel notice.”

If the answers to the above questions fall within the definition of a substantial remodel, please reach out to a tenants’ rights attorney immediately.

What is the California Legal Language on Substantial Remodels?

Landlords must have, “Intent to demolish or to substantially remodel the residential real property” under California Civil Code 1942.6 (b) (1) (D) (i), (ii)

“Substantially remodel” means...

- Replacement or substantial modification of any structural, electrical, plumbing, or mechanical system
- Requires a permit from a governmental agency or the removal or reduction of hazardous materials
 - including lead-based paint, or asbestos
- The repairs cannot be reasonably completed in a safe manner with the tenant in place and requires the tenant to vacate for at least 30 days
Civil Code 1942.6 (b) (1) (D) (ii)

“Substantial remodel” does not mean...

- Cosmetic improvements alone
 - Including painting, decorating, and minor repairs
- Other work that can be performed safely without having the property vacated