



TENANT ORGANIZING

Forming a Tenants Union or Tenants Association

Who can organize?

YOU! The fact is, any tenant can choose to step up and start working with their neighbors to organize and stand up for your rights as tenants.

Why organize?

Organize for tenant power! As tenants, we have strength in numbers. When we act together to use our collective power to stand up for our rights, we win - even against powerful interests like landlords and developers who have more money and lobbyists. In the midst of the worst housing crisis in California's history, however, we must reach out to one another to overcome the fear and isolation that can come from housing instability. Forming a tenants' union or association can be the first step to finding belonging and solidarity with your neighbors that can lead to transformational change in your building, city, and beyond.

What is a tenants union/association?

A tenants union, also sometimes called a tenants association, is a formal or informal group of tenants working together to stand up and advocate for their rights. Tenants unions can be as small as a single building or can grow to represent the tenants in an entire city or region. Smaller tenant unions tend to work on issues affecting a particular building or all the tenants renting from a certain landlord, which could be large rent increases, unsafe or unhealthy living conditions, or unfair lease terms. Often, merely working together to state collective demands can convince landlords to make changes, and we have seen small tenants fight off mass evictions, improve their living conditions, and deny large rent increases just by speaking up together.

Many tenant organizations choose to incorporate as a non-profit organization to better raise funds and coordinate advocacy efforts. However, it is not necessary to officially incorporate as a nonprofit to be considered a tenant union. If you are interested in incorporating as a non-profit, contact the Law Foundation of Silicon Valley at the contact information listed below for support.

What legal protections and rights do I have while organizing my building?

Organizing or participating in a tenants union or association is a protected right under state law. Your landlord cannot seek to evict you, give you notices, increase your rent, or decrease the services available at the property just because you exercised your right to organize your fellow tenants. If your landlord does take one of these prohibited actions against you because of your organizing activity, this is considered retaliation under state law, Cal. Civ. Code Sec. 1942.5. Tenants who have been retaliated against for their organizing activity can assert this retaliation as a complete defense to an eviction lawsuit, or bring a separate lawsuit for the harm that this retaliation caused.

Successfully arguing and proving a retaliation claim in court can be difficult, however, and we recommend contacting an attorney if you are concerned that your landlord may retaliate. A legal services attorney or other advocate can help you protect yourself from retaliation by ensuring that your landlord knows about the penalties they may face for retaliating against you, compiling evidence on your behalf to assert a retaliation defense in court, and/or connecting you to a community-based organization that can provide additional assistance or organizing support.

HOW DO I START ORGANIZING?

- 1 Talk to your neighbors.** The first step in organizing a tenants union is to start talking to your neighbors. Try to get to know them, the housing problems they are facing, and whether they are interested in working together to improve conditions for everyone in your building. It is usually best to find three or four other people who have experienced the same housing problems that you have and are willing to commit to working together with you in forming a tenants union.
- 2 Educate yourselves about your rights.** With this core group, you should start educating yourselves about your rights as tenants and tenant organizers. You should also identify the problems you want to work together to solve, and brainstorm potential solutions and ways to advocate for them. It can also be helpful to develop group values to guide your collective work.
- 3 Recruit Others.** Once you have identified a core group of neighbors to work with and have decided on the problems you want to address, it's time to start knocking on doors in your building to recruit other tenants to your cause. It is best to have an initial meeting planned at this point so that you can invite tenants in your building to learn more. When speaking to other tenants, you should be ready to give a short and clear explanation of why you are organizing and what you hope to accomplish. You should also ask tenants about the housing problems they are facing and be ready to listen to all of their concerns. It is critically important that everyone involved in your new tenants union feels that it is a place where their voice will be heard.
- 4 Meet to Discuss Issues & Solutions.** At your initial meeting you should be prepared with an agenda to guide the group's discussion. Generally, it is helpful to make space in the agenda for introductions from all attendees, a short opening explanation of why you are organizing, and a group discussion about the values the new tenants union stands for and will uphold. You should also try to decide together on how the group will work together and make decisions, as well as make or share a plan for immediate next steps and ways people can get involved. In planning your initial meeting, try to make it as easy to access as possible by finding a date and time that is convenient for everyone and arranging for interpretation and/or child care during the meeting if needed.
- 5 Reach out for support.** Once you have held your initial meeting consider reaching out to one of the organizations below for more support. These organizations can help you learn more about your rights, grow your organization, identify solutions and advocacy strategies, and connect you to a larger tenants rights movement.

Additional Resources

Law Foundation of Silicon Valley: The Law Foundation of Silicon Valley uses innovative legal advocacy as a tool for social change. We work tirelessly to ensure that every person in our thriving region is granted the same rights and legal access. Our Housing Program provides free legal advice and representation on housing-related matters to low-income individuals in Santa Clara County. Among other things, we can assist with defending eviction lawsuits and outreach and support for renter organizing and campaigns.

Website: <http://www.lawfoundation.org/housing>
CALL: (408) 280-2424 | Monday - Thursday: 9 AM -12 PM & 1 PM - 4 PM; Friday: 9 AM - 12 PM

Sacred Heart Housing Action Committee: The Sacred Heart Housing Action Committee (SHHAC) is a diverse group of San Jose residents, workers, and voters seeking programs and policies to provide and maintain housing that is affordable to low income households. We are creating housing policy changes in San Jose by working with those personally affected by the housing crisis to let their voices be heard among a larger network of affordable housing advocates. Our leaders have courageously spoken at city council meetings, mayoral forums, affordable housing forums, media events, and in small groups.
Website: <https://sacredheartcs.org/shhac/>

Affordable Housing Network: The Affordable Housing Network's purpose is to preserve and expand the supply of housing affordable to low-income people in our country through a program of education, empowerment, coordination, and support. We educate and organize the general public and public officials about the need for affordable housing, its true face today, and opportunities and strategies for providing such housing. The Network also seeks to empower low-income people to advocate effectively for their housing needs, and supports public and private efforts, especially those of non-profit developers to meet those needs.
Website: <https://ahnscc.wordpress.com/all-about-ahn/>

Tenants Together: Tenants Together is a statewide coalition of local tenant organizations dedicated to defending and advancing the rights of California tenants to safe, decent, and affordable housing. As California's only statewide renters' rights organization, Tenants Together works to improve the lives of California's tenants through capacity-building, movement-building, and statewide advocacy.
Website: <http://www.tenantstogether.org/contact-us>