

LANDLORD'S NOTICE TO END A PERIODIC TENANCY

A landlord can end a periodic tenancy (for example, a month-to-month tenancy) by giving the tenant proper advance written notice. Your landlord must give you 60 days' advance written notice that the tenancy will end if you and every other tenant or resident have lived in the rental unit for a year or more. However, the landlord can give you 30 days' advance written notice in either of the following situations:

- Any tenant or resident has lived in the rental unit less than one year; or
- The landlord has contracted to sell the rental unit to another person who intends to occupy it for at least a year after the tenancy ends.

In addition, all of the following must be true in order for the selling landlord to give you a 30-day notice

1. The landlord must have opened escrow with a licensed escrow agent or real estate broker, and
2. The landlord must have given you the 30-day notice no later than 120 days after opening the escrow, and
3. The landlord must not previously have given you a 30-day or 60-day notice, and
4. The rental unit must be one that can be sold separately from any other dwelling unit.

If you receive a termination notice, you must leave the rental unit by the date after the end of the notice. If you don't move by the end of the notice period, the landlord can file an unlawful detainer lawsuit to evict you.

FEDERALLY ASSISTED TENANTS

Suppose that you are a tenant who participates in the Section 8 housing voucher program. While the lease is in effect, the landlord must have good cause to terminate (end) the tenancy. Examples of good cause include serious or repeated violations of the lease, or criminal activity that threatens the health or safety of other residents. The landlord must give the tenant a 3-day or 30-day or 60-day written notice of termination under California law, and both the landlord and the tenant must give the public housing agency a copy of the notice.

What if the landlord simply decides not to renew the lease, or decides to terminate the HAP (housing assistance payment) contract? In this case, the landlord must give the tenant 90 days' advance written notice of the termination date. If the tenant doesn't move out by the end of the 90 days, the landlord must follow California law to evict the tenant.

The following guidelines apply to notices issued to federally assisted tenants:

Reside in the unit over one year

A landlord must issue a 60 day notice for cause, 90 day notice without cause.

Reside in the unit less than one year

A landlord must issue a 30 day notice for cause, 60 day notice without cause.

Both parties can also agree on a termination date and sign a mutual agreement.