DIVISION OF LEGAL AFFAIRS
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California Tenants:

A Guide to Residential Tenants' and Landlords' Rights and Responsibilities (2006)

2007 UPDATE

The Legislature has reinstated the requirement that a landlord give a tenant 60 days' advance written notice to end a periodic tenancy in some circumstances. Most periodic tenancies are month-to-month or week-to-week.

Beginning January 1, 2007, the landlord must give the tenant 60 days' advance written notice to end the tenancy if every tenant and resident have lived in the rental unit for a year or more.

However, the landlord can give the tenant *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 the tenant a 30-day notice –
  - The landlord must have opened escrow with a licensed escrow agent or real estate broker, and
  - The landlord must have given the tenant the 30-day notice no later than 120 days after opening the escrow, and
  - The landlord must not previously have given the tenant a 30-day or 60-day notice, and
  - The rental unit must be one that can be sold separately from any other dwelling unit. (For example, a house or a condominium can be sold separately from another dwelling unit.)

A tenant who wants to end a periodic tenancy must give the landlord the same amount of written notice as there are days between rent payments (for example, 30 days' notice if the tenant pays rent monthly). This is true even if the landlord has given the tenant a 60-day notice, provided that the amount of the tenant's notice is at least as long as the number of days between rent payments, and the tenant's proposed termination date is before the landlord's termination date.

These changes were made by AB 1169 (Torrico), Stats. 2006, ch. 842, and take effect on January 1, 2007.