

THE COVENANT OF QUIET ENJOYMENT CIVIL CODE 1927

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WHAT IS COVENANT OF QUIET ENJOYMENT?

- A covenant in a lease by which the lessor agrees that the tenant shall have quiet enjoyment of the premises without disturbance.



PROTECTION OF TENANT'S RIGHT TO QUIET ENJOYMENT

- Tenant's right to privacy
- Peace, Quiet, and Solitude
- Unreasonable Disturbance
- Exclusive possession of the rental unit.
- Significant interference (landlord or manager entering premises frequently or without permission).
- Interference with the tenant's guest.
- Landlord threatening or intimidates



MEMORIZATION BREACH OF QUIET ENJOYMENT

*QUIET ENJOYMENT
ELEMENTS*

MEMORIZATION
HELP



TEMPORARY DISRUPTION IN THE PREMISES

A Temporary inconvenience in the rental unit does not constitute a breach or violation of quiet enjoyment. (Keyword temporary)

A landlord is responsible to maintain the premises. If any major repair or renovation needs to take place in the tenant's rental unit. The landlord's responsibility to minimize disturbance. The tenant may be entitle to reimbursement for the temporary loss of quiet enjoyment.



NOISE REGULATION

Normal noises

- Blender
- A car alarm
- Garage door
- Garbage truck

Disturbance noises

- Midnight music
- Dog barking
- Parties
- Banging noise

VIOLATING THIS COVENANT

- If covenant of quiet enjoyment is continually or unreasonably broken by the landlord, manager, or owner's agents, then the tenant can be relieved of his/her obligation to pay rent and could even terminate the lease.

CONSTRUCTIVE EVICTION

- Misuse of landlord authority can be considered loss of quiet enjoyment, many tenants are threatened with eviction for asking to get something fixed.
- A tenant is forced out of a rental unit because of landlord harassment, the tenant can sue for the cost to replace the rental unit. Landlord harassment claims can sometimes be difficult to prove. It is important for tenants to be extremely diligent in noting each harassing event. Keep a log with dates and times.
- **State Anti-Harassment Protections Violations of CA Civil Code §1940.2 and §1942.5**
- Under state law, tenants can be awarded \$2,000 for each harassing incident where a landlord does any of the following: steals, extorts, threatens force, and blocks access. Civil Code § 1940.2

RENT STABILIZATION BOARDS

- [Berkeley Rent Stabilization Board](#)
 - [Los Angeles Housing Department](#)
 - [San Francisco Rent Board](#)
 - [Santa Monica Rent Control Board](#)
 - [West Hollywood Rent Stabilization Commission](#)
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- For more helpful Information please visit the following website.
 - <https://www.thelpa.com/lpa/landlord-tenant-law/california-landlord-tenant-law.html>