

What if ICE comes to my home?

DO NOT:

- Do NOT open the door at all (not even a crack).
- Do NOT consent to entry.

DO:

- Keep the door shut.
- Call your local rapid response hotline.
 - San Francisco: (415) 200-1548.
- You can ask the ICE agent to slip any document they have under the door. But if this is not an option, just keep the door shut.
- You can print out cards to tell ICE that they do not have permission to enter and that you do not wish to speak to them.
(<https://www.ilrc.org/red-cards>)

Important: Even if you do end up talking to ICE (in your home or elsewhere), **you always have the right to remain silent.** You can say: "I do not want to answer any questions. "

Can ICE enter my home?

ICE may only enter your home if:

You consent.

OR

They have a warrant signed by a judge.

Usually, ICE agents do not have a warrant signed by a judge but rather have a warrant signed by an ICE officer. You can ask ICE to slide any documents they have under the door. However, it can be hard to tell if ICE has a proper warrant.

Unless you can confirm that ICE has a warrant **signed by a judge**, the best course of action is to keep the door shut.

It is important that everyone in your household knows not to open the door for ICE. If anyone opens the door, ICE will treat this as having permission to enter.

Can my landlord let ICE into my home?

No. Your landlord cannot lawfully give ICE access to your home unless you live with your landlord.

California Undocumented Tenant Rights



55 Columbus Avenue
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(415) 896-1701

The mission of Asian Law Caucus is to promote, advance and represent the legal and civil rights of the Asian and Pacific Islander communities.

The information provided here is general. Asian Law Caucus does not intend for anything stated here to establish any attorney/client relationship with the reader. If you have questions about your own situation, please consult an attorney.

Evictions

State law provides basic protections to tenants which apply regardless of your immigration status. These include:

- **Your landlord cannot evict you because of your immigration status.** Unless you live in federally subsidized housing, your landlord cannot evict you because of your immigration status.
- **“Self Help” is prohibited.** It is unlawful for landlords to change locks or shut off utilities in order to kick tenants out. If your landlord threatens to use “self help,” do not move. Seek legal help.
- Evictions must go through the legal process. A legal eviction starts with a written notice. Your landlord cannot evict you through a text message, email, or conversation. If you receive a written eviction notice, you should seek legal help immediately.
- **Habitability.** Landlords must provide safe and “habitable” housing. For example, you are entitled to heat, working plumbing, and sufficient weatherproofing. Your home should be free from rats or mice.

Retaliation

It is unlawful for your landlord to retaliate against you for exercising your rights.

Examples of protected rights include:

- Asking for repairs or filing a complaint to a public agency
- Participating in a tenant association
- Refusing to disclose information about your immigration status

Retaliation can look like:

- Threatening to or trying to evict
- Threatening to or trying to raise rent
- Refusing to do repairs
- Removing/ reducing services
- Threatening to disclose immigration status
- Threaten to report your family or friends to immigration authorities

Retaliation is unlawful. If your landlord is retaliating against you, you have rights. Seek legal help.

You are not making trouble by asserting your rights – you’re protecting yourself, your family, and other tenants like you.

Protecting Your Tenant Rights

Always ask for repairs in writing.

- When asking for repairs, always ask **in writing.** You can email, text, or send a letter. If you send a letter, take a picture of the letter before sending it so that you have a copy.

Keep a file.

- Keep copies of your lease, repair requests, rent receipts, and other documents in a safe place.

Seek help early.

- If you receive papers from your landlord that you do not understand, seek help immediately. In California, the eviction process is very fast. If you do not seek help on time, you could lose your case.

Get Help

Call us Monday - Friday 9-5pm PT.
(415) 896-1701.

We provide confidential legal information, assistance, and referrals for low-income community members to help you understand your rights.