



San Francisco Real Estate Attorneys

“The highest quality legal service! Mr. MacDonald got us the result we needed.”



-Ms. X. N. Tan

Free 20-minute initial consultation
Call today to reserve your appointment



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Steven Adair MacDonald literally “wrote the book” on landlord-tenant law in San Francisco. The founder of Steven Adair MacDonald & Associates is the author of *Landlord-Tenant Solutions in California* and *The San Francisco Rent Board User’s Guide*, widely recognized books on the subject of landlord-tenant law in the Bay Area. Our team of lawyers brings many decades of experience in real estate law to the negotiation table or the courtroom. We pride ourselves in finding creative solutions for complicated scenarios. We use a variety of conflict resolution strategies to help our clients achieve the best possible outcome for the least cost, including mediation, negotiation, and litigation.

THE NUISANCE TENANT

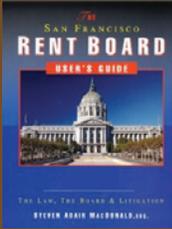
A residential building in San Francisco built before 1979 requires “just cause” for an owner to recover possession of the residence. One such justification, if the landlord can prove it, is “nuisance”.

In this case a tenant, even while current with the rent, is accused of behaving so badly that he should be ejected from his (often below market rent) home. It all depends on the facts. If other tenants in the building and the neighborhood will testify as to the loud parties or criminal activities, for example, the landlord should prevail.

The first step is the proper service of the three-day notice to quit. It must comply with requirements of local and state law. It should clearly allege the details of the abusive behavior. This is then followed by a suit filed in court and then served upon the occupants. Most of these cases are contested by the tenants. Then the matter is set

for trial. It all goes quite quickly, usually only taking about two months. A hotly contested case may include depositions of witnesses and other trial preparation procedures. If the tenancy is a long-term one, with rent well below market, the motivation of the landlord will surely be an issue. Depending on the strength of the evidence a tenant may be convinced to settle the matter and move out. In fact, 99% of these cases settle in one way or the other shortly before trial. A jury trial is expensive and stressful for everyone. If a written lease provides for attorneys fees to be awarded to the victor, then the more confident side may be tempted to reject settlement and actually proceed to trial. That situation is the most difficult to resolve.

Since these parties invariably dislike each other, often-times living in the same building, a “divorce” of the tenancy relationship may be in everyone’s best interest!



Steven Adair MacDonald
is the author of
*Landlord-Tenant Solutions in
California* and *The San Francisco
Rent Board User's Guide*.



We are pleased to announce
that Steven MacDonald has
been awarded the highest
rating possible for an attorney,
an AV Peer Review Rating by
Martindale-Hubbell!

“Steven MacDonald’s *San Francisco Rent Board User’s Guide* is a positive and very useful contribution to the public’s understanding of the law.”

—Mr. Joe Grubb, Executive Director
*San Francisco Residential Rent
Stabilization and Arbitration Board*

“We were quite nervous about the cost of going to court! But Mr. MacDonald settled it reasonably.”

—Ms. B.Q. Tan

“We were so worried! But we entrusted our legal problem to Mr. MacDonald and he did a super job.”

—Ms. Mila Leiderman

“Mr. MacDonald’s *Landlord-Tenant Solutions in California* is equally useful to lawyers and laymen.”

—Hon. William A. Newsom
Justice, California Court of Appeals [Ret.]

“I would never use any other real estate lawyer!”

—Mr. W.K. Kuan

(Testimonials do not constitute a guarantee or prediction of the outcome of your legal matter.)

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