

August 2020



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Dear Greetings!,

Stay updated with our newsletter! Here are just some quick updates we thought you'd be interested in.

Nasty Neighbor / Rowdy Roommate?

By: Lan Nguyen Fullerton, Esq.

For a lot of us, sheltering in place and working from home has given new perspectives on those we live closest to: our housemates and neighbors. Quarantine seems to have brought out the best in some folks - we've heard endearing stories of neighbors helping neighbors by doing grocery runs, putting on porch concerts, birthday drive-bys, weekly cheering for frontline workers, and the like. But, along with the good, comes the bad. And, we have also heard horror stories of a housemate's drug use, roommates fighting with each other, a neighbor's large and loud parties in violation of health orders, construction work at all hours of the day and night, etc. Depending on the situation, activities that interfere with your quiet enjoyment may be unlawful and you may have legal recourse against the offender.

If you are a landlord or a master-tenant, you may have just cause to evict the problem tenant under a nuisance theory if a tenant/sub-tenant is constantly doing something that is causing substantial damage to the property, and/or is substantially interfering with your or other tenants' comfort, safety or enjoyment. Keep in mind that, currently, there are emergency rules in effect that prohibit eviction actions from moving forward in court unless the eviction is necessary to protect public health and safety. Cases that have been allowed to move forward in court under the health and safety exception have involved arson, violence or threat of violence, and severe vermin infestation. The key is to show the court that without immediate intervention, the public will continue to be harmed.

If you're not a landlord, eviction may not be available to you, but you may have other legal remedies and claims under theories of nuisance, breach of quiet enjoyment or negligence. For example, you may be able to obtain an injunction from the court that orders the offender to stop the unlawful conduct, and you may also be able to recover monetary compensation for damages.

If you are dealing with a nightmare neighbor, terrorizing tenant, or a raucous roommate, give us a call. Our attorneys are standing by to assist you.

Want to hear more? Partner Jethro Busch speaks on nuisance issues [here](#):



What are my rights if I am a tenant, and my landlord refuses to help me if another tenant is engaging in nuisance activities, or is harassing me in San Francisco or Oakland?



What are my rights if I am a tenant and my landlord refuses to help me if another tenant is...

Sincerely,

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Have a legal question you need answered?
Feel free to call us and schedule a free 20 minute initial consultation with one of our partners today!



We have over 140 five star Yelp reviews! Visit our Yelp page [here](#).



The attorneys at Steven Adair MacDonald & Partners represent clients with landlord-tenant and other real estate legal needs throughout the San Francisco Bay Area.

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