

## **Legal status of tenants shielded**

San Jose Mercury News (California)

October 12, 2007 Friday

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**Section:** LOCAL; News; Special Reports; San Jose - Valley; Communities; Politics

**Length:** 560 words

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### **Body**

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As cities across the country grapple with illegal immigration, Gov. Arnold Schwarzenegger signed a new state law Wednesday that prohibits county and municipal governments in California from enacting local laws that would require landlords to ask a tenant's immigration status.

California may be the first state in the country to use state legislation to deal with a growing national trend that began in 2006 when the city of Hazelton, Pa., approved a city ordinance that penalized landlords for renting to illegal immigrants.

"These ordinances are a result of a larger problem," said Francisco Castillo, a spokesman for the governor. He cited "the failure of Congress to enact meaningful immigration reform."

The bills' sponsor, Assemblyman Charles M. Calderon, D-City of Industry, and leaders of a state association of apartment owners hailed the new law, which takes effect on Jan. 1, as a civil rights victory.

"It's important legislation because it's the beginning of a trend we're seeing throughout the country as cities begin to try to establish their own foreign policies," Calderon said.

"Only the federal government can do that," he said. "It's important that we don't have vigilante justice."

The Concerned Women for America, a Christian women's group, opposed AB 976. In legislative documents, the group said that cities and municipalities are trying to use local ordinances to deal with illegal immigration "and prevent squalor that is dangerous not only to the individuals involved, but also to the surrounding neighborhoods where sanitation, parking and other troubles ensue."

A national spokeswoman for the group did not return a telephone message.

The American Civil Liberties Union, labor unions, immigrant advocacy groups and landlord groups pushed for the bill, AB 976, after the city of Escondido passed an ordinance last year that prohibited landlords from renting to illegal immigrants and imposed penalties when landlords failed to check on the immigration status of prospective tenants.

Civil rights groups successfully challenged the ordinance in federal court, arguing that it would lead to discrimination of immigrants seeking housing and turn landlords into immigration police.

The Escondido ordinance was later rescinded.

A federal lawsuit on the Hazelton, Pa., case is pending.

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Such local ordinances put landlords "between a rock and a hard place," said Ron Kingston, a lobbyist for the landlord group, Apartment Association of California Southern Cities.

"We needed to be assured that our landlords were not going to become de facto immigration police," Kingston said. "We needed confirmation that our landlords and managers can receive information to determine the financial qualification and identity of tenants."

The new law reaffirms the ability of landlords to conduct credit checks on tenants.

Calderon said local ordinances such as the one proposed in Escondido left "landlords caught."

"If they complied, they faced substantial liabilities under state and federal laws," he said. "If they didn't, then they're subject to local penalties."

Immigrant groups across the state supported AB 976.

"It protects tenants from discrimination for the way they look or how they sound," said Isabel Alegria, a spokeswoman for the Oakland-based California Immigrant Policy Center.

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## Classification

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**Language:** ENGLISH

**Publication-Type:** Newspaper

**Subject:** IMMIGRATION (92%); ORDINANCES (91%); ILLEGAL IMMIGRANTS (90%); LEGISLATION (90%); US STATE GOVERNMENT (90%); US FEDERAL GOVERNMENT (89%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (89%); TRENDS (89%); HUMAN RIGHTS ORGANIZATIONS (89%); CIVIL RIGHTS (88%); LOBBYING (78%); CITY GOVERNMENT (78%); LANDLORD & TENANT LAW (78%); SUITS & CLAIMS (78%); LITIGATION (78%); GOVERNORS (78%); DISCRIMINATION (75%); WOMEN (73%); ASSOCIATIONS & ORGANIZATIONS (73%); CREDIT CHECKS (72%); LABOR UNIONS (67%); LAW COURTS & TRIBUNALS (65%)

**Organization:** CONCERNED WOMEN FOR AMERICA (55%)

**Industry:** RENTAL PROPERTY (90%); LANDLORD & TENANT LAW (78%); RESIDENTIAL RENTAL PROPERTY (77%); CREDIT CHECKS (72%)

**Person:** ARNOLD SCHWARZENEGGER (58%)

**Geographic:** CALIFORNIA, USA (93%); UNITED STATES (92%)

**Load-Date:** October 12, 2007