

## Locks on Doors and Windows

California Civil Code §1941.3

State Law requires property owners to install and maintain security or locking devices on certain doors and windows.

### Doors

Owners must install and maintain dead bolt locks on each main entry door of a dwelling (except horizontal sliding doors). When locked, the bolt must extend a minimum of 13/16 of an inch in length beyond the strike edge of the door and protrude into the doorjamb.



- Certain existing locks, such as deadbolts of at least ½ inch in length, are sufficient until they no longer function properly; then such locks must be replaced with the required deadbolts.
- Doors that cannot be equipped with dead bolt locks may be fitted with a metal strap and/or other locking devices approved by building codes as providing adequate security.
- Landlords must install locks that comply with fire and safety codes on common area exterior doors that lead to and from dwelling units. Landlords are not required to install doors or gates in these areas if doors or gates do not already exist.

### Windows

Owners must install and maintain window security or locking devices for windows designed to be opened. Excluded from this requirement are louvered windows, casement windows (windows that open on hinges), and all windows more than 12 feet vertically or 6 feet horizontally from the ground, a roof, or any other platform.

- In most cases windows on the first floor are covered by this requirement and windows above the first floor probably are not covered.
- Tenants are responsible for notifying the landlord when a dead bolt or window lock needs repair or replacement. Tenants should always notify the owner or property manager of the need for repair or replacement in writing and keep a copy of their dated and signed notice. The owner will not be in violation of this law unless he or she does not properly repair or replace the lock within a reasonable amount of time after being notified.



## Remedies

If a landlord violates this law, tenants have certain remedies such as filing a rent decrease petition with the Rent Control Board. Before filing a decrease petition, a tenant must first give a written request to the owner or property manager that locks be repaired or replaced. The date of this notice must be at least 30 days prior to but not more than 180 days prior to the filing of a decrease petition. Tenants should be certain to keep a copy of this signed and dated notice.

In certain situations, the “repair and deduct” remedy provided under the State Civil Code allows tenants to pay for repairs of serious conditions making the unit uninhabitable and deduct the costs from their rent, up to one month’s rent. The owner must have been notified of the conditions and given a reasonable period of time to make the needed repairs.

The “repair and deduct” remedy has very specific requirements that must be adhered to and may not be used more than twice per year. Tenants are strongly advised to seek legal advice before using the “repair and deduct” remedy. (See California Civil Code, §1941 for the exact language).

