

ITS VACANT TAKE IT



A HOMES NOT JAILS HOW-TO ZINE

SECOND EDITION

DISCLAIMER

- * Take responsibility for yourself. We are not legally liable for your actions.
- * We all have different experiences, but this zine contains what has worked for us, a consensus based collective in San Francisco, which happens to be composed of mostly white squatters without sensitive immigration status. Resources that are listed are sometimes specific to San Francisco city or county.
- * This guide is not infallible or set in stone. There are no hard and fast rules. Every building is different. In the course of our nights we never cease to come across something that breaks with all our expectations. Every new squat will present challenges and gifts not to be found in these pages. Use your intuition and your common sense. Above all, be safe, be free, and dream dangerously.

WHO IS HNJ?

Homes Not Jails is a collective of squatters and squat supporters. Our goal to open as much vacant housing as possible and to keep it open as long as we can. Homes Not Jails also strives to be a place for organizing and mutual aid among squatters in San Francisco. Twenty years after its formation in 1992, circumstances have gotten worse and not better. In 2000, the U.S. Census Bureau recorded 16,827 vacant housing units in San Francisco. By 2010, that number had doubled to more than 31,000. Government & big real estate demonstrate their willingness to continue profiting off the hardships of everyday people — making it incumbent on us to take matters into our own hands. This is the definition of direct action. Homes Not Jails uses a two-pronged strategy for fighting back:

Public Action & Education

Homes Not Jails organizes public direct actions called housing takeovers. A takeover



is when HNJ and its allies occupies a vacant building in order to dramatize the severe shortage of housing and to provide info and resources about squatting. Takeovers also serve as a gateway for first-time squatters!

Squatting

Homes Not Jails opens up vacant buildings and helps homeless people move into them – because people need housing NOW! Over the years hundreds of vacant buildings have been opened, providing housing for people without waiting or negotiating with the state or private interests. Many have lasted for years, many are still going strong, and more will be opened as long as people are forced to live on the streets.



NO MORE
HOMELESS
DEATH

HOTEL

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WHY SQUAT?

- * To survive.
- * To stop apologizing for our own existence.
- * To avoid the stigma, shame, and criminalization of homelessness.
- * To live by our own means without relying on governments or charity.
- * To make use of otherwise unused buildings, homes that are left to rot while people sleep on the street in front of them.
- * Because we refuse to let good housing go to waste.
- * Because the solutions to our environmental problems will not be found in growth and capital.
- * Because constructing new buildings labeled as “eco-friendly, LEED certified, & energy efficient” means the commodification of environmentalism and the continuation of capitalism.
- * Because the solution is not to contribute to the housing surplus but to utilize unused resources and to truly live sustainably.
- * Because in San Francisco there are three times more vacant housing units than people without homes. (Roughly 10,000 homeless on a given night and 32,000 vacant units in San Francisco. Nationwide, there are 18.5 million vacant homes and 3.5 million homeless.)
- * Because the right to own unused property ends where our right to live begins.
- * Because fuck being a wage-slave to pay rent.

- * To break the cycle by which we, from the day we are born, are indebted to those who have inherited wealth and privilege, for no other reason than pure chance; that we must live lives of indentured servitude to the rich just for the means to survive. We see rent as nothing but extortion.
- * Rent is the means with which the city is stolen from those who make it come into being.
- * To live as you choose, not as you are bound.
- * To form relations and community that are not limited or coopted by Capitalism.
- * Because squatting is direct action. Every single day that you squat you stop abetting capitalism and private property.
- * And finally, because if food, clothing and shelter are basic necessities for life, to forcibly take those away from people is to prevent their survival; any act to resist this is, by definition, self-defense.

SCOUTING

Scouting is when you go out and look for vacant housing to squat. The best time of day to scout for vacant buildings is dusk, when most people are home, but not asleep yet and thus, still have their lights on. You can, however, scout anytime. It's a good idea to take as many different routes between places you go daily, like home, school, and/or work. It's also good to travel by the slowest means possible. If you usually would drive, bike. If you would otherwise bike, walk. You should also carry your notebook and tape at all times. The best day of the week is garbage day, if you can figure out when that is. Not having garbage cans out is a good sign that a house may be vacant.

Look for places that look a bit shabby. In San Francisco, where real estate is so valuable, this can be a strong clue on its own. Keep an eye out for any dated material like mail, old newspapers, or phonebooks (which are delivered at regular intervals) to make an estimate for how long its been since someone checked on the house. Make sure to check the dates on construction permits and job cards posted in the windows because construction projects sometimes stall. If they are sufficiently old, then it is a good sign it is vacant. A portapotty outside indicates that work is being done currently. A car parked out front of a house that looks like it is vacant is not necessarily a bad sign. This could mean that a property owner is trying to make the house look like it is lived in or that a neighbor knows that no one lives there and can use it as a free parking spot.

When a smoke detector's battery is low, it will beep or chirp every 30-60 seconds. This noise would be far too annoying for a person living inside the building to tolerate. It can be heard faintly from outside the house. It takes a trained ear to recognize this sound and is easier to hear in the middle of the night when there is less background noise. It is a very good sign that a building is vacant (as long as its not just in the garage) and can be an indicator of empty houses that show no visual signs of abandonment.

If you can access the utility meters, you can see if the utilities are on and if they are using very much. An old style power meter with analog dials (not a smart meter with a digital display) is also a good sign of possible vacancy.

Taping

Some buildings are vacant but get worked on, shown to prospective buyers or checked on periodically. Some are abandoned but already squatted. Taping every access point on a building is the only certain way to know if it is being entered. This is done by sticking a piece of tape across the gap between the door and the doorframe, so that if the door gets opened, the tape will be broken. No one type of tape is best. Blue painter's tape stands up best in rain, with masking tape being second, but they both dry up and fall off in hot sun, and the color stands out dramatically. Clear packing tape is the most discreet, but falls off in the rain, and its loud to peel off. Duct tape is the most well rounded for different situations. Scotch tape is the easiest to peel off quickly and quietly in small strips but does not hold well. Ready-strips of other types of tape can be cut off in advance and stuck onto a marker, travel mug or boot, to reduce noise and look less conspicuous. Make sure to tape all possible entrances or side gates. Some people enter their house by pulling their car into the adjoining garage. Some side gates lead to an entrance to another unit. Another squatter may prefer the most discreet entrance over the most convenient one.

If you see a potentially vacant house and do not have tape on you there are other methods to see if the building is entered. A folded up scrap of paper can be jammed in the gap between the door and the doorframe at the top so that if the door opens, it will drop. A twig can be stuck into the keyhole so that it has to be removed to unlock the door. A piece of thread can be tied around a gate's bars so that it will break if the gate is opened.

None of the above signs are 100% certain. Sometimes a person is on vacation or just doesn't care for their home very well. We have also found vacant buildings fully furnished with the lights on. Any house with two or more of these signs deserves taping. Generally, the nicer a house is, the longer the tape should be left in place before entering, to make sure it is

definitely being left alone. The range is 1-4 weeks. If the tape is broken, DO NOT ENTER; retape the doors and return later to see if the house still being entered. Respect people's homes, there could be squatters in there!

Note Taking

Good note taking is important. When you tape a building, you should take down the address and date it was taped. It's also a good idea to take note of the signs that led you to tape it, so that you will know how long to wait before checking back and know if the

Signs that a building may be vacant

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| * Grass and weeds overgrown | * No Trespassing signs |
| * Paint peeling | * For Sale signs |
| * Boarded up windows/doors | * Lock boxes |
| * Mail piled up | * No furniture in house |
| * Multiple newspapers | * Garbage/debris piled up in entryway or front yard |
| * Old phonebook(s) | * Security gate locked with a chain or bike lock |
| * Many menus hanging on door | * Outdated building permit posted in window |
| * Lights off in the evening | * Lights on all night |
| * Graffiti | * Dead plants |
| * Garbage not out on garbage day | * Citations from city posted on door |
| * Address not posted | * Cobwebs in entryway |
| * Garbage can empty or containing construction debris but no household trash | |



property has been visited and worked on from the outside, but not entered. You can develop your own shorthand for quick note taking while walking, and as a security measure in case your notebook ever falls into the wrong hands. A good thing to note is whether there is a lock box with keys in them. If a building looks very promising, you may even note potential entry points and list what tools would be needed to get in.

* Note: Scouting is all about finding **vacant** homes. We are not trying to take over people's houses but trying to find places that are empty. Sometimes people live in homes with boarded up windows, or are agoraphobes who don't leave their home for weeks. Good notes and lots of caution will help you avoid a bad situation.

RESEARCH

Gather as much information on a given address before entering the building. Ultimately, you need to ascertain who currently owns the property, its block & lot number (or APN), sales history, & whether it has any outstanding permits or complaints. Sources of information may include neighbors, news articles, real estate websites, or public records, but mostly research is done online.

The Assessor-Recorders Office is in City Hall. It is not necessary to give any ID to access information there. On their computer database you can read full documents filed on a property, or find the owner's name and address if it cannot be found online.

The following sites may be useful for online research:

* San Francisco Property Information Map

<<http://ec2-50-17-237-182.compute-1.amazonaws.com/PIM>>

A squatter's best friend online. It tells you the block & lot numbers (the APN) which you will need for looking up a property or parcel on other government sites. It has a number of different tabs providing information about the property, and ends with links to the Department of Building Inspection website, where further info awaits.

* Department of Building Inspection

<<http://dbiweb.sfgov.org/dbipts>>

Here you can check for permits past & current on a property. The site allows you to search by site address or by block & lot number. There you can see construction permits as well as complaints lodged against the property. Expired permits are a good sign but active ones do not necessarily mean anything. Filed permits can take months to be approved and construction projects can stall for lack of funds. A property with a litany of complaints about graffiti,

safety hazards, or better yet a “notice of violation of the Abandoned Building ordinance” may be promising signs for a potential squat.

* CRiis

<<http://www.criis.com>>

Archive of documents containing public information for San Francisco county. The searchable online index reaches back to 1990. The documents themselves are not online. If you need to read them in their entirety you will need to go to City Hall, but very often you’ll find enough info just from the APN & Name detail the site index gives you. Any information about the property is useful for building a back story as to your relationship to the house but key documents to look for are: deeds, liens, notices of default, affidavits of death. Once you find the deed holder of a property, you can search their name on CRiis to find other documents filed with their name attached.

* San Francisco Treasurer

<<http://www.sftreasurer.org/index.aspx?page=65>>

You can check if property taxes are current. Search by site address or block & lot number. It can be a good sign if the taxes are not being paid but keep in mind that banks will pay the property tax on time.

* CityData

<<http://www.city-data.com>>

Lists ownership of property in San Francisco, one street at a time, so you can see who your neighbors (or your neighbor’s landlords) are. Also lists date & amount of last sale, when known. Check if the building owner of your future squat lives nearby!

* Superior Court Online

<<http://www.sfsuperiorcourt.org/online-services>>

Look up civil, probate or criminal cases by a party’s name. If you find mention of a court document, like an abstract of judgment naming the former owner of the property, search



for it on this site. Case incidents are listed in reverse chronological order.

Real estate sites are also useful to find if a property is currently for sale. Some sites are Zillow.com, Blockshopper.com, Redfin.com, Ziprealty.com, etc. Since these websites are not always up-to-date or accurate, for the most current ownership info available, look the property up by APN on CRiis. Many of these site allow you to search for buildings that were purchased by a bank, a real estate company, or other suspicious entity.



SAFETY & AWAY TEAMS

An away team is a group that goes out to scout or open buildings for habitation. An away team usually consists of two to four people, with three being an ideal number. You should only work with people you trust not to jeopardize the situation. Whenever you're doing something for the first time, whether looking out or opening, you should be accompanied by somebody more experienced. The plan should be gone over in as much detail as possible with all away team members before going out. Dark, comfortable clothing is best for mobility and camouflage. Travel light; items not needed should be left behind, especially illegal ones. Going on away teams while under the influence of drugs or alcohol is a bad idea, as it impairs your abilities and puts your teammates safety at risk. If you are under the influence, be sure to inform your team members so they can assess the risk for themselves.

Useful items for your tool bag may include:

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| * Small flatbar | * Pocket knife |
| * Pliers | * Street sweeper bristle or steel strip from a windshield wiper |
| * Flashlight or two | * Philips and flathead screwdrivers |
| * Duct tape | * Adjustable wrench |

Vice grips, lock picks, bump keys, hand drills and crowbars may also be useful in more unusual situations. If the building has a lockbox containing house keys on the outside, it can be cut off with bolt cutters and smashed open at another location with a sledgehammer, but be careful not to smash the keys inside! You may want to shake the lockbox first to make sure it has keys in it before you risk cutting it off. Bolt cutters can be carried in their own bag. It's a good idea to practice using them before you need them in the field.

Communication is key to away team safety and security. Before going out, or while you are en route to the site, go over the details of the building (from those notes you took), what the lookouts should be looking and listening for, what the signals should be, what the person working on the building is expecting to do. If you drive, park a couple blocks away from the house. You can check that everyone is clear on their roles before leaving the car. Discuss how the team should wrap up once the job is done. If everything goes without incident, it's a good idea to split up and return to an agreed upon location. Make sure to make contingency plans! Different people may want to react to being spotted in different ways, and depending on who has taken notice. If all the members of the team plan an organized response to different situations, everyone will be safer and know what to expect.

Lookouts

Once you reach the spot that you are opening, you need a lookout or two. Lookouts appear least conspicuous in pairs. A single lookout can smoke or pretend to be on their cell phone or waiting for a ride. Both a lookout and the person inside the building should have a working cell phone, and they should be turned to vibrate! Lookouts should stand across the street, and on higher ground if possible, but remain within line of sight of the person doing work on the house. Lookouts should keep an eye out for people coming as well as neighbors or onlookers from windows. They can also check for people in parked cars. Lookouts should look up and down the street, not at the building that work is being done on!

If work is going to be done on the front of a building that is exposed to the street (changing the locks or removing a board, etc.), light signals using a cellphone work best, and don't cast a nasty spotlight on the worker like a flashlight would. If someone is coming, the lookout illuminates their cellphone and points it in the direction of the person who is doing work. It can also be helpful to have someone with the person working on the house whose job is to watch the lookout so the worker can focus on what they are doing. If someone is inside the building or in the backyard, the lookout should only contact them if someone is paying special attention to the building or if a cop has rolled up and parked. Finally, when the person inside the building is exiting they should call the lookout to get the go-ahead



when it is safe to come out.

To open a building look for the easiest and least conspicuous entrance. Upstairs windows are left open more often than not. Sometimes a screen can be cut or removed and the window will be unlocked behind it. If there is one, the back or side door is the safest and brings the least attention. Locked windows can sometimes be slim-jimmed with a street sweeper bristle. This involves manipulating the latch from the outside by inserting the bristle between the outer and inner window panels. If the wood on the window frame is old and slightly rotten you may be able to pry the locked window open with a flatbar, popping the screws to the latch out of their holes. Any opening that is boarded up is probably viable if the wood is removed.



What To Look For Inside

There are several things to check for when you first enter into a building to check for its viability and livability. The most recent piece of dated material, like packaged food in the fridge, or the oldest piece of uncollected mail will tell you approximately how long it has been since someone has been in the building. Old mail is also useful to find out the names of past tenants and to research the reason why the building is empty. Look for signs of recent inhabitation like live plants, fresh food or battery-operated clocks still running. Check the refrigerator light (so as not to illuminate the house) and turn on a faucet to see if the utilities are connected. Sometimes the valve leading into the water fixtures under the sink is turned off so if you don't see water initially, check underneath. Check the brand of locks on the door, as Schlage and Kwikset hardware are not interchangeable. Finally, make a mental list of supplies you will need for any additional work you want to do on the house.

ESTABLISHING

The First Few Weeks

The first few weeks at a new squat can be stressful. Sometimes people will have to go thru 4 or 5 squats until they find one that lasts. You may get lucky and find a long-term squat the first time. During the initial weeks, a squat is vulnerable to landlord or police attempts to kick you out. The landlord may do his own “self-help” eviction and lock you out. How your housemates (and often the neighbors) handle the first few weeks will often determine whether the house becomes long-term. The goal is to ease your way into the awareness of the neighbors by being seen as little as possible. The goal is to house as many people as possible, but you may want to limit it to 2 or 3 in the early days.

Limit comings and goings to once a day. Less squat mates means less people moving through the front door who might be seen. Wait to go out either very early in the morning (before 7am), after 10am when neighbors have left for work, or in the evening as you are less visible. Put up block-out fabric in windows facing the street and neighbors to prevent inside light being seen outside at night. Front rooms may need to be left vacant if a viewer might expect to see them empty. If dark windows look strange from the outside, put up white fabric first, layered with dark fabric behind it. Keep your eyes open for free sheets and fabric that people give away on the sidewalk all over the city. Use pushpins or drywall screws to hold the fabric over the window.

Try to be as quiet as possible with no noise such as loud music or conversation that could be heard outside or through the walls. Limit visitors and large groups of people coming and going. Trickle out trash and recycling in grocery store bags and not big trash bags. Dump trash in nearby garbage cans at night, but don't be seen filling up neighbors' cans. Keep the water and electric bill low by minimizing use. Just because you're getting it for free doesn't mean the landlord will never notice a higher bill on a vacant building. You can relax

a little as utility companies charge monthly minimums, so your usage may not be noticed. Water bills come only bimonthly.

Types of Squats

There are a few ways to start: leave-no-trace, covert, overt, or somewhere in between.

Leave-no-trace means that you live out of a back-pack and don't keep all of your stuff at your squat, so that every time you leave you take everything out of the space. Theoretically no one would be able to tell you had ever been there. This may be for staying in a construction site or somewhere that's actively being shown.. This temporary location can't be long-term because it might be entered frequently by the owner, real estate agents, property managers, workers etc. Only use it to sleep at night so you are not discovered during the day.

Covert means that you avoid being seen when entering and exiting, don't alter the property as seen from the curb or the neighbors' view, stay quiet when inside with minimal lights on. To enter and exit covertly, go through the door that is least visible and with minimal to no traffic. You can sit on the stoop and hang out (smoke, whatever) then enter the door or leave the area when the coast is clear. It is generally the most successful method for long-term viability of a squat. Squatting covertly can give you the time to make any changes that are necessary to switch to an overt squat.

Overt means that you live openly as if you were living legally. A squat becomes overt usually after it has been lived in covertly and has gotten tenancy or has gotten caught by a neighbor. You might decide to move in overtly initially if living covertly seems impossible. If you do this, you will move in with a truck and furniture as if you were a new tenant. This works particularly well in a vacant building that does not look obviously abandoned from the street or if the building is commonly known to be vacant.

Starting Up A Squat

The first thing you should do is have the front door lock changed and keys issued to all housemates. Because the law favors property rights over human rights, use this housing is illegal. When you begin staying in a new squat, people living in the house are technically trespassing. This does not mean you will be immediately arrested. It does mean that if the police find you during the initial weeks, they may order you to leave. Be advised that the police are supposed to have a complaint from the owner (or have visibly seen you trespass) before they can order you to leave. Under trespassing law, you must be provided an opportunity to leave before you are arrested. Unless you refuse to leave, you will not be arrested unless you have committed a crime (vandalism, burglary) or have outstanding warrants. Often police don't care about this point and do whatever the fuck they want. If there is an arrest, you may be able to get an attorney through the National Lawyers Guild.

Despite our best research, it's impossible to know how neighbors, landlords or police will react once you are living in a vacant building. The first few weeks are the best indicator of how long your squat will last. If you are discovered and forced to leave your home, the squat is considered to be "blown up".

It's a really good idea to search for another new location while you are in your current place. In case you lose your squat, you will have someplace to go as a back up. The average life expectancy of a squat in San Francisco seems to be 3 weeks.

Getting Tenancy

During the first 30 days in a squat, you are "illegally occupying and trespassing" on the property owned by someone who is not so-called "benefiting" from your presence. HNJ rejects this narrow view of when someone can or cannot occupy a building. Our moral defense is that it is wrong to forbid someone from reasonably occupying an empty, unused building resource, especially when it could be used to house people. Since when did we all agree that landlords must be guaranteed the right to profit from their property, even when it is a wasted, urgently-needed resource?

If the police come to your door, and you can provide reasonable doubt that you are not trespassing, they may deem it a civil matter to be decided between you and the owner in court, not a criminal matter over which they can arrest you. After staying for 30 days, you appear to have established tenancy by San Francisco Tenant Law. You don't actually have tenancy since you don't actually have permission to live there, but police are personally accountable for evicting lawful tenants, so they will be less inclined to arrest you if there is any doubt.

Evidence of tenancy may include:

- * Utility bills in your name at the address, going back more than 30 days.
- * A drivers license, state or city ID with the address at least 30 days old.
- * Furnishings and wall decorations.
- * A lease, deed, or property management agreement.
- * Childhood photos in front of the residence.

There is no magic change after 30 days. A lot of it comes down to a show of confidence. If you have a cohesive story and confidently assert that this is your home, that you are not leaving under any circumstances, that the owner (if they arrive with the police) is lying, etc., you have a chance of keeping your squat for as long as it takes to go through the courts.

Getting documentation to prove that you have lived there for at least 30 days is crucial for establishing tenancy. Send yourself letters with a clear postmark. Get a new ID card with your address. San Francisco has its own ID card available at City Hall for \$5. Registering to vote is a good way to get your name and address on the same document for free. Squat mates might want to get the PG&E bill put in a members name to minimize any risk the bill being sent to the owner would give you away. This works well with foreclosures and abandoned buildings as absent bills might not be noticed. You could create a lease or property management agreement from online web sites offering free sample landlord rental agreements. Don't take unnecessary risks: creating a fake document that includes people you do not know (the owner) can be prosecuted for forgery. Instead, you can create a lease



document with a friend or fictitious person as the landlord. Invent a property management company that never answers the phone. If you are really gutsy, you can call the cops for a minor problem such as a stolen bike to get your name and address in their database as a legitimate tenant. Just kidding: anarchists don't call the cops!

It's important to note that you cannot establish tenancy in non-residential buildings (commercial or industrially zoned space) or in buildings declared legally vacant by the sheriff's department, which happens after a formal court-ordered eviction.

SECURITY CULTURE

Homes Not Jails operates under the practice of security culture. This means keeping things secret in order to protect squatters and their houses. People gossiping or talking about members and squat locations might be overheard and reported, thus blowing up the squat and getting people arrested. Information is given on a need-to-know basis. This means saying as little as possible in public conversation. Assume a squatter *nom de guerre* to protect your identity.

Avoid casually mentioning the address, cross-streets, or any other identifying information about your squat. Only share this information with people you trust, and give it only when absolutely necessary. Squats can be given names that obscure their location, but allow people to know they're talking about the same building. Have fun with this! Make up in-joke or silly names. This can make the squat location sound like ridicule or fiction minimizing interest to an outsider, but is still an easy handle.

Likewise, protect your fellow squatters. Don't mention the names of other people who were on your away team without their consent first. If you want to share tips and experiences, you can share only as much about yourself and your experiences as you are comfortable with, but let others make that decision for themselves.

Ensure that all squat mates and visitors agree to never answer the door if a stranger knocks. Casually opening the door allows all sorts of problem people to enter, such as cops, landlords, property managers, goons, hired goons, building inspectors, process servers, etc. Neighbors may want to check out what you are doing there. Other people may have used the house in the past and want to return. You want to deal with this on your own terms, so controlling who comes in gives you that. In some situations, you might want to set up round-the-clock security watches with everyone taking shifts. It is also good to keep at least 1 person in the house at all times to assure the owner, police or strangers don't break in while



you are gone. If you get evicted then, tell your housemate which one or two bags you want them to take for you.

If you expect a visitor, view who is at the door through a window, peephole, or have them make a cell phone call. It's best to have no visitors or few. Consider the risk of an outsider knowing the location of your squat. Keep the front door and all exit doors and windows locked at all times. Recently some property managers and foreclosure agents have entered squats by climbing through open windows. They then opened the front door for others, harassed housemates and blew up the squat. Practicing security culture will help protect you and your home.



NEIGHBORS & POLICE

Be prepared on what to say if you get a surprise visit, or later when you meet any police or neighbors.

First, try to figure out who's at your door. Make sure all of your squat mates are on the same page about what your story is (if you want to say you're renting/a groundskeeper/etc depending on each squat's situation). Don't feel silly to practice saying it aloud or with you're other squat mates. Practice role playing, ask each other questions that a squatter may be asked (such as "How long have you been here?", "Who is your landlord?" "How did you meet your roommates?" "How did you find this place?" etc.). The more natural the story is, the more someone else is likely to believe you!

Here are some examples of stories:

- * "The landlord hired me to take care of the house in exchange for staying here"
- * "I pay rent to _____, we've been here for a couple of months"
- * "I am the owner, I have no idea who this other person is"
- * "I'm subletting this place while he is out of town"

What often works well is that you say you are living in the house while you are remodeling it, which is close to the truth. You could also claim to be house-sitting or a caretaker. If the cops ask to see proof, say you have a verbal agreement with the landlord.

Remember NEVER LET ANYONE YOU DO NOT KNOW IN TO YOUR HOUSE.
LIKE EVER.

If police, owners, property managers, or a combination show up, either talk through the door or step out side to talk to them, closing the door behind you (Don't forget your keys! It looks shady to hop the fence to your own house!) Remember this is your home, act like it! Establish an air of ownership by asking "Hi there, how can I help you?" or "Is there something I can do for you?" In any case, you can answer with your prepared story, not answer at all, or run out the back, though this may not build your case that you are a legal tenant!

Know who you're taking to. With property managers, there's a good chance that they may show up the first time alone and the second time with cops. If it's a bank rep, they don't give a fuck because they have no personal investment in the space. They may decide to not deal with you until a later date but they also do have the most resources at their disposal if they decide to evict you. Owners might take it personally but they may also be more receptive to a sympathy plea. You might be able to bargain with them. Tell them you noticed that their property isn't registered on the vacant property list and if they want to avoid the fine, they can just let you stay. Or that its better for them if you stay because you can take care of the property and make sure no one breaks in and or steals anything. Use your imagination!

You're gonna run into neighbors and you will get seen eventually. Chose your story with them wisely: if it's a neighborhood where most people own their houses, say you own it; if it's mostly a renting neighborhood, say you're renting. You can figure this out by some on-line research. If it's an owner neighborhood there's a good chance the neighbors may know the owner, so say you're a property manager or something of the sort. If you are confronted, just tell them your back story. Try to be friendly. These are your neighbors and its better to have a good relationship and community support (or at least community disinterest). Maybe clean up the place so it looks better, people like it when their property value rises.

Often the neighbors will not know the landlord, but frightened neighbors can result in getting the police called on you in the first few days. They may be afraid that you pose a threat to them. To ease their fears, act as "respectable" as you can muster. Once you get



settled in, be friendly with neighbors, smile and wave hello. Act like you are paying rent and legally living there, not sneaky and guilty. Look responsible by keeping the outside of the house clean and picking up trash. Every area is different, so try to blend into the neighborhood. A quiet residential neighborhood means don't disturb the locals with noise, parties or loud, experimental music.

LEGAL IMPLICATIONS

In general, squatting is a low risk activity but there are some legal implications when scouting, on away teams, and squatting.

Scouting in itself is not illegal but if you are looking hella suspicious then you might get stopped and questioned. Not carrying illegal items such as weapons or drugs or anything you don't want to lose when you go scouting or on a away team is a good idea. We highly recommend sobriety when scouting and away teams. Another risk to keep in mind is whether you have any prior charges on the books.

Away teams normally present the highest risk. Breaking and entering is not a formal charge in California, but if you get caught, the pigs will sometimes find something to charge you with (burglary and/or vandalism). See the legal definitions of these terms in the Glossary section. Not taking anything or vandalizing the space at the time of first entry can lessen the chance of getting hit with the more serious felony charges. Another way to decrease risk is to simply leave after getting entry and to spread tasks such as the changing of locks to other nights.

If you are living in a squat, you can be cited for trespassing (a misdemeanor). This is especially during the first 30 days before you establish tenancy (see "Establishing"). In our experience, it is very unlikely that charges will be pressed for trespassing. Legally, you are guaranteed a verbal warning before you can be cited. To minimize the risk of getting charged, you can always claim, "the door was left open."

If you are faced with a formal court eviction you can decide to remain a Jane Doe and rely on a physical defense of your squat OR put your name on the documents and fight them in court. You cannot have a legal defense of your squat without giving a name, but be aware that you risk getting your name put on an unlawful detainer list and/or a landlords delinquency list. If you fight them in the courts, there is also the risk of getting sued for damages (for lost rent).

In theory, there shouldn't be any increased risk for non-citizens or undocumented immigrants for squatting because San Francisco is a sanctuary city. In general it would be too expensive and not worth it to go through the extradition process for only misdemeanor trespassing charges. That said, in a climate of increasing persecution of illegal and legal immigrants, caution should be exercised to avoid confrontations with the police. Any charges can interfere with reapplying for immigration visas or permanent residence status, applying for citizenship, or crossing the border.

There is some risk involved with squatting with children or pets. There is a chance that the police or landowner could report you to Child Protective Services. If you have a dog, loud barking can be a risk if you are trying to squat covertly. If you are arrested by the police, and you have a pet, they will be taken to the San Francisco Animal Care & Control or the SPCA.



EVICTED
DEFENSE

DEFENSE

Legal Defense

Legal defense in the courts only applies once you have established tenancy (see ‘Establishing’). Once you have tenancy and you are facing eviction, there are a few resources for legal defense in San Francisco. The Eviction Defense Collaborative will prepare a response for you if you get an unlawful detainer. You should go as soon as possible because you need to file a response within 5 days (including weekends). The EDC will not defend squatters legally however. Legal ACCESS center in the court house will assist you fill out legal forms correctly. Other resources for help with tenancy law are the Tenants Union or the Housing Rights Committee. To find a lawyer to help you in civil court, you can approach the National Lawyers Guild for a referral or you can go Volunteer Legal Services. If you need a lawyer in a criminal case, the NLG can defend you. You may be able to get additional legal resources if you are disabled, a senior, or are HIV positive. A list of legal aid resources is provided at the Housing Rights Committee.

See the Resources section at the end of this book for the complete list of legal resources.

Physical Defense

If you have enough people, an eviction party or public demonstration can be enough to dissuade the sheriff’s department from kicking you out on your eviction day. They will often show up on the first attempt at eviction with only 2 or 3 officers and if it looks too difficult they will leave. It is not uncommon for them to raid with larger numbers the next day early in the morning. More militant forms of resisting eviction are certainly possible (lockdowns, barricades, tearing up the street) but keep in mind that any escalation will be matched in force by the police.

When you are fighting an eviction, sometimes its best to pick you battles. Sometimes

the best squat defense is to leave before the sheriff's deputies arrive on your eviction day and to return to reopen it at a more convenient time (leave a window open). The place could easily be used to house yourself or others at a later date. Nothing can frustrate a landlord more than to spend lots of time, money and effort evicting you, only to have the building reoccupied the next day, starting the process all over again. This war of attrition is a very strong tactic in convincing the landlord to leave you and your squat alone, but may also lead to escalating tactics from law enforcement.

When To Find A New Home

Sometimes it is not worth it to keep living in a squat. Reasons to abandon a squat are if your health or physical safety are in jeopardy. Be careful about houses that have been fire damaged or condemned. Some of us have gotten sick from exposure to mold. Also look out for exposed wiring or asbestos, and signs of structural deterioration like rotting floorboards or sagging or broken ceiling joists. Above all, put your mental and emotional health first. If the burden of your squat is too much to bear, then its time to move on. Otherwise, never give up your squat, ever!!

RESOURCES

* Blockshopper

<<http://www.blockshopper.com>> Real estate website. See “Research.”

* California Judicial Bench Guide for Unlawful Detainer

<<http://www2.courtinfo.ca.gov/protem/pubs/bg31.pdf>> This document is a guide for judges in unlawful detainer cases, and describes different possible legal routes. Particularly useful is the list of common tenant defenses.

* California Tenants Rights Guide

<<http://www.eugeneleaffty.com/books/Nolo%20-%20California%20Tenants%20Rights%20-%20CTENC.pdf>> Published by Nolo. See “Getting Tenancy” in “Establishing.”

* CityData

<<http://www.city-data.com>> Lists ownership of property and neighboring lots. See “Research.”

Craigslist Progressive Directory

<<http://bapd.org/>>

An index to about 1200 organizations in the San Francisco Bay Area that are related to progressive activism and/or helping out disadvantaged people, plus links to related web sites elsewhere.

* CRIIS

<<http://www.criis.com>> The ‘Clerk-Recorder Imaging Information System.’ Stores information about documents filed in San Francisco County from 1990 to present. See “Research.”

* Department of Building Inspection

<<http://dbiweb.sfgov.org/dbipts>> Online database of permits and complaints filed on an address. See “Research.”

* Eviction Defense Collaborative

<<http://www.evictiondefense.org/>> Assists tenants with eviction lawsuits. See “Defense.”

* Lockpicking

<<http://people.csail.mit.edu/custo/MITLockGuide.pdf>>

<<http://locksport.com/index.php/discover-lockpicking/l-i-guide/>>

These are two great guides for a beginner lockpicker. A basic understanding of the locking mechanism is also very helpful for away teams. There are also many great tutorials on youtube.

* National Lawyers Guild

<<http://www.nlg.org/>> Legal services for social justice. See “Defense.”

* Public Occupation

<<http://theimaginarycommittee.files.wordpress.com/2009/11/occupation-guide.pdf>>

<<http://zinelibrary.info/files/occupationguideredux.pdf>>

<<http://reoccupied.files.wordpress.com/2009/04/preoccupied-reading-final.pdf>>

Homes Not Jails has been doing public building takeovers since its inception in 1992.

Lookout for our forthcoming zines on the subject. In the meantime, there are some great how-to guides above.

* Redfin

<<http://www.redfin.com>> Real estate website. See “Research.”

* San Francisco Bar Association

< <http://www.sfbar.org/>>

The bar recommends that lawyers do one pro bono case a year. Could be a source for free legal representation.

* San Francisco ACCESS Center

<<http://www.sfsuperiorcourt.org/self-help>>

Drop in clinic that assists in filling out legal forms correctly. Located inside the court house at 400 McAllister St., Room 509.

Information Line: (415) 551-5880

- * San Francisco Property Information Map
<<http://ec2-50-17-237-182.compute-1.amazonaws.com/PIM>> A searchable city map with aggregated information on properties. Easy way to find APNs. See “Research.”
- * San Francisco Treasurer
<<http://www.sftreasurer.org/index.aspx?page=65>> Look up property taxes on a property. See “Research.”
- * Shouse Law
<<http://www.shouselaw.com/crimes-a-z.html>>
An A to Z list of legal definitions of crimes according to California law
- * Superior Court Online
<<http://www.sfsuperiorcourt.org/online-services>> Look up civil, probate and criminal cases by a person’s name. See “Research.”
- * Trulia
<<http://www.trulia.com>> Real estate website. See “Research.”
- * Tenants Union
<<http://www.sftu.org/>> Provides tenant counselling in drop-in clinic at 558 Capp St. 415-282-6622. They also have a great Tenants Manual.
- * Zillow
<<http://www.zillow.com>> Real estate website. See “Research.”
- * Ziprealty
<<http://www.ziprealty.com>> Real estate website. See “Research.”



HOMES
FOR
ALL!

GLOSSARY

- * Abstract of Judgment- A written summary of a judgment which states how much money the losing defendant owes to the person who won a lawsuit. This is something that can come up on CRiis; you can look it up on the Superior Court website by document number or name.
- * APN (Assessor Parcel Number)- This number identifies the block and lot number which identifies it in the Assessor's property book. This number is mostly useful for searching for a property on a government website which won't let you search by address.
- * Assessor-Recorders Office- Where you can access full documents tied to a property. Located in City Hall (on Polk st between McAllister and Grove).
- * Autonomy- 'Translates as 'self law' from the Greek root. Every squat is autonomous: the people that live there decide every aspect what goes on in the space on a consensus basis.
- * Away Team- A group that goes out to scout or open buildings for habitation, consisting of 2-4 people.
- * Blow Up- When a squat gets evicted.
- * Burglary- The legal definition of burglary in California is as follows, "Every person who enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, floating home, railroad car, locked or sealed cargo container, whether or not mounted on a vehicle, trailer coach, any house car, inhabited camper, vehicle, when the doors are locked, aircraft, or mine or any underground portion thereof, with intent to commit grand or petit larceny or any felony is guilty of burglary. As used in this chapter, "inhabited" means currently being used for dwelling purposes, whether occupied or not." This means that if you commit *any* other felony while trespassing (vandalism over \$400, for instance) you can also be charged with burglary. See <<http://www.shouselaw.com/burglary.html>> for more detailed information.
- * Conspiracy- The legal definition of a criminal conspiracy in California is when 1) one agrees with one or more other people to commit a crime, and 2) one of them commits an overt act in furtherance of that agreement. Conspiracy is always a felony charge in California, even if the offense you commit is a misdemeanor. This means that to protect yourself and your teammates on an away team, make your plans in a safe place. Avoid

sending incriminating text messages, phone calls, etc. Arriving separately at the location. See “Safety & Away Teams”. See <<http://www.shouselaw.com/conspiracy.html>> for more detailed information.

- * Covert- A style of squatting where you avoid being seen when entering and exiting, don't alter the property as seen from the curb or neighbors', and stay quiet when inside with minimal lights on. See “Establishing.”
- * Crack a Squat- When a building is first opened for habitation.
- * CYPREXX- Security company specializing in squatter prevention.
- * Deadbolt- A locking mechanism wherein a bolt is only moved with a key.
- * Deed- Document which proves ownership of a property.
- * Deed of Trust- a deed wherein legal title is transferred to a trustee, which holds it as security for a loan (debt) between a borrower and lender. If one of the named parties is a bank, this can be a sign that the property is going through foreclosure.
- * Ellis Act- a provision in California Law, which provides landlords with a legal way to “go out of business” short of selling the property to another landlord. It is often used as a way out of municipal rent control provisions. The building cannot be rented for 5 years and often sit empty.
- * Foreclosure- A building that has been taken by a bank for defaulting on the mortgage.
- * Grantor/Grantee- On CRiis, the person who grants a title and the person who receives it. i.e. the grantee of a deed is the landowner and the grantor is the former deedholder.
- * Handset- The knob part of a door locking mechanism.
- * Integrity- When the way you live is in line with what you think.
- * Leave-no-trace- A style of squatting where all traces of habitation are removed when you leave. For squatting in short term and checked on properties. See “Establishing.”
- * Kwikset- The most cheaper of the two most common brands of keys, handsets, and dead bolts. The head of the key is a hexagon with three triangular holes.
- * Lockbox- A small box that property agents and land owners lock to the outside of a building which sometimes contains keys! Can be obtained with bolt cutters and a sledge

hammer.

- * Overt- A style of squatting where you move in openly and publicly claim the space. Good for any type of social centers. See “Establishing.”
- * Schlage- The more expensive of the two most common brands of keys, handsets, and deadbolts. The head of the key is shaped like a bumpy diamond.
- * Springbolt- A locking mechanism lock that uses a spring to hold the bolt in place, allowing retraction by applying force to the bolt itself with a flatbar or other tool.
- * Taping- The best way to determine if a house is vacant. Stick a piece of tape across the gap between the door and the doorframe, so that if the door gets opened the tape will be broken. See “Scouting.”
- * Tenancy- Possession of land or property as a tenant, established after 30 days of residency. See ‘Getting Tenancy’ in “Establishing.”
- * Trespassing- The most common acts that California trespassing laws prohibit are: 1) entering someone else’s property with the intent to damage that property, 2) entering someone else’s property with the intent to interfere with or obstruct the business activities conducted thereon, 3) entering and “occupying” another’s property without permission, and 4) refusing to leave private property after you’ve been asked to do so. See <<http://www.shouselaw.com/trespass.html>> for more detailed information.
- * Trustee- An individual person or member of a board given control or powers of administration of property in trust with a legal obligation to administer it solely for the purposes specified.
- * Vandalism- The legal definition under California law is to maliciously deface with graffiti or other inscribed material, damage, or destroy property that you do not own. Felony vandalism exceeds \$400 dollars in damage. See <<http://www.shouselaw.com/vandalism.html>> for more detailed information.
- * Water Key- The special tool used to turned on the water meter.



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