



United States District Court
Munguia-Brown, et al. v. Equity Residential, et al.
Case No. 4:16-cv-01225-JSW-TSH

Class Action Notice

Authorized by the U.S. District Court

Records show that you are or were an Equity Residential tenant in California who was charged a late fee of 5% of rent, minimum \$50, for the first time between September 3, 2010 and October 28, 2022.

Based on a lawsuit settlement, you may have the right to receive a payment and/or a credit.

Read this notice to learn about your rights.

Important things to know:

- **If you were charged a late fee while a tenant at an Equity Residential property in California for the first time between September 3, 2010 and October 28, 2022, you may be included in a class action settlement and entitled to a partial refund of the late fees you paid and/or a partial credit for late fees you were charged but did not pay by April 30, 2024.**
- If you paid late fees by April 30, 2024, you will automatically receive a partial refund of the late fees you were charged and paid, unless you opt out of the settlement. (For more information about opting out of the settlement, see page 7 below). If you were charged late fees but did not pay them by April 30, 2024, you already have received, or will automatically receive, a credit to your tenant account, an adjustment to your credit file with the applicable debt collection agency, or a check. Credits are applied on the basis of ResidentIDs, which may be shared by co-tenant Class Members. You cannot opt out of receiving credits for late fees that you were

charged but did not pay by April 30, 2024.

For more details about the case and the settlement, go to:
www.EquityMunguia-BrownLateFeeSettlement.com

**Para asistencia en español, por favor visite
www.EquityMunguia-BrownLateFeeSettlement.com**

About This Notice

Why did I get this notice?

There is a proposed settlement of a class action lawsuit that was filed on September 3, 2014. The case was brought on behalf of Equity Residential tenants in California who were charged Equity Residential's Standard Late Fee of 5% of rent, minimum \$50, for the first time between September 3, 2010 and October 28, 2022. It was also brought on behalf of tenants who had a non-Equity Residential lease while living at the "Woodland Park" property in East Palo Alto, California, when it was owned by Equity Residential from December 1, 2011 to February 2016, and were charged at least one \$50 late fee during that time. Woodland Park tenants are receiving their own class action notice.

The case has settled after 11 years of litigation, including a trial.

You received this notice because you are a member of this group of tenants, called the "class." Under the settlement, class members who paid Standard Late Fees to Equity by April 30, 2024 are entitled to partial refunds of those late fees. Class members who were charged the Standard Late Fee but did not pay it by April 30, 2024 already have received, or will receive, a partial credit to their Equity Residential tenant accounts, adjustments to their credit files with the applicable debt collection agencies, or a check.

This notice describes the proposed settlement, explains your rights, and helps you decide what to do next.

What do I do next?

Read this notice and decide which of the following options you want to take:

Options	More information about each option
Do Nothing	If you do nothing, you will receive a check in the mail and/or Equity Residential has already provided, or will provide, a credit to your tenant account, an adjustment to your credit file with the applicable debt collection agency, or a check, and you will be part of the settlement. For units with leases shared by more than one class member (i.e., co-tenants), the award under this settlement will be divided equally among co-tenants.
Opt Out If You Paid Late Fees by April 30, 2024	If you paid the Standard Late Fee by April 30, 2024 and you opt out of the settlement, you won't receive any refund of the late fees you were charged and paid. You would have the right to file your own lawsuit against Equity Residential or the other Defendants.
If You Were Charged But Did Not Pay Late Fees by April 30, 2024	You cannot opt out of receiving credits for late fees you were charged but did not pay as of April 30, 2024.
Object	You can also stay in the class but tell the Court that you don't like the settlement. If the Court approves the settlement, you will still receive a payment and/or credit.

Key dates

Deadline to opt out or object: **April 16, 2026**

Final settlement approval hearing: **June 26, 2026 at 9:00 AM**

About the Lawsuit

What is this lawsuit about?

This lawsuit is about whether Equity Residential owes certain California tenants a partial refund of the Standard Late Fee (5% of monthly recurring charges, minimum \$50) that Equity charged its California tenants from September 3, 2010 to April 30, 2024. There was a trial in June 2023, and the Court decided that Equity's Standard Late Fee is unlawful and that Equity is required to pay back late fees that class members paid, minus Equity's cost of

What is a class action settlement?

A class action settlement is an agreement between parties to resolve the case. Settlements can provide money or other benefits to class members.

late rent collection. The Parties decided to settle the case instead of continuing to litigate it through an appeal.

There is another case, called *Van Cott v. Equity Residential*, that also reached a settlement that has been approved by the Court. That lawsuit covers different groups of tenants depending on the date they were first charged the Standard Late Fee.

Equity Residential denies that it did anything wrong.

Why is there a settlement in this lawsuit?

In November 2025, the parties agreed to a settlement to end the lawsuit. Both sides want to avoid the risk, delay, and expense of more litigation.

What happens next?

You can remain part of the settlement, meaning that you give up your ability to sue Equity Residential and the other Defendants on these same issues. Or, if you paid late fees by April 30, 2024, you can choose not to be part of the settlement, which means you will not receive any refund of late fees you paid, but you would still be able to bring your own lawsuit. This is called “opting out.” You cannot opt out of receiving credits for late fees that were charged but that you did not pay as of April 30, 2024. Any class member who was charged the Standard Late Fee, whether or not they paid it, can also object to the settlement if they don’t like it.

Because a class action decides the rights of all class members, the Court must evaluate the settlement and decide whether to approve it. Refunds for late fees class members paid will be made only after the Court approves the settlement. If the Court does not approve the settlement, the settlement will not happen, and the lawsuit will continue.

The Court will hold a hearing about whether to approve the settlement and Class Counsel’s anticipated request for attorneys’ fees.

The hearing will be on June 26, 2026 at 9:00 AM at:
California Northern District Court
Courtroom 5, 2nd Floor
1301 Clay Street, Oakland, CA 94612

Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in this lawsuit at: www.EquityMunguia-BrownLateFeeSettlement.com

The scheduled hearing date could change. You can check the date at: www.EquityMunguia-BrownLateFeeSettlement.com. You can also check that website to see if the hearing will be on Zoom.

You can attend the settlement approval hearing. You can also ask the Court for permission to speak and express your opinion about the settlement. You can also hire your own lawyer at your own expense.

About the Settlement

What money does the settlement provide?

Defendants will pay \$22,707,238.38 to refund class members for the late fees they paid between September 3, 2010 and April 30, 2024: those class members will be refunded 87% of the difference between the total late fees they paid minus Equity Residential's actual costs for collecting each of the Class member's late rent payments, as calculated by an expert hired by Class Counsel. For units with leases shared by more than one class member (i.e., co-tenants), the refund will be divided equally among co-tenants.

For tenants who were charged late fees between September 3, 2010 and April 30, 2024, but did not pay those late fees by April 30, 2024, Equity Residential already has provided, or will provide, a credit to those tenants' accounts with Equity, adjustments to their credit files with the applicable debt collection agencies, or a check. Equity will credit these class members with the net amount of the fee minus \$22.51 for any late fee charged prior to May 1, 2022 and \$31.98 for any late fee charged beginning May 1, 2022. These amounts represent the average actual costs for collecting late rent during each of these time periods, as calculated by an expert hired by Class Counsel. Some of these credits have already been applied, and you may have already seen them on your account. The credit amounts are separate from the \$22,707,238.38 Equity agreed to pay the Classes for this settlement, and class members cannot opt out of receiving them.

Separate from these payments, Defendants will also pay to administer the settlement (expected to be approximately \$300,000).

Plaintiffs will also ask the Court to order Equity Residential to pay Class Counsel \$17,227,761.62 for their attorneys' fees and costs, which is less than 75% of the total amount that they incurred from 11 years of litigating this case. They will also ask the Court to make a \$25,000 payment to each of the five tenants who

brought this lawsuit for the time and effort they put into the case and the risks they took, including testifying at trial. These payments will only be made if the Court approves them and will not come out of the \$22,707,238.38 for class members.

Class members will “release” their claims as part of the settlement, which means they cannot sue Equity Residential or the other Defendants again for charging or collecting the Standard Late Fee or the Woodland Park \$50 Late Fee (which is described in the settlement agreement). You can read the full terms of the settlement at: www.EquityMunguia-BrownLateFeeSettlement.com.

Class members who receive checks will have 180 days to cash them. If class members do not cash their checks in time, their payments will be sent to the state of California’s Unclaimed Property program.

How do I get a payment or credit?

If the Court approves the settlement and you are entitled to a refund, you do not need to do anything. You will receive a check in the mail, and you will be bound by the settlement.

If the Court approves the settlement and you are entitled to a credit, you don’t need to do anything. A credit either already has been or will applied to your tenant account or to your file with the applicable debt collection agency. If you paid a Standard Late Fee after April 30, 2024 but are no longer an Equity tenant, you may receive a check for these credits.

How much will I be paid or credited?

If you are a class member, you should have received an email or postcard containing an estimate of either the amount of the payment you can expect to receive under the settlement and/or the amount of credit that has been or will be applied. If you did not receive the notice, or have any questions, you can visit www.EquityMunguia-BrownLateFeeSettlement.com or call 1-888-545-0143.

When will I get my payment or credit?

Class members will not be paid until at least 42 days after the Effective Date of the settlement. Payments will not be made until at least late in 2026.

Please update your contact information with the settlement administrator at www.EquityMunguia-BrownLateFeeSettlement.com

Do I have a lawyer in this lawsuit?

In a class action, the court appoints lawyers to represent the interests of all the class members. For this case, the court appointed the following lawyers as Class Counsel:

Linda M. Dardarian, Esq. Andrew P. Lee, Esq. Katharine Trabucco, Esq. Dardarian Ho Kan & Lee 155 Grand Avenue Suite 900 Oakland, CA 94612 (800) 245-6958 equitylatefees@dhkl.law	Margaret McBride, Esq. Community Legal Services in East Palo Alto 1861 Bay Road East Palo Alto, CA 94303 (650) 326-6440	Craig Nicholas, Esq. Alex Tomasevic, Esq. Nicholas & Tomasevic LLP 225 Broadway, 19th Floor San Diego, CA 92101 (619) 325-0492
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You can also hire your own lawyer at your own expense.

Do I have to pay the lawyers in this lawsuit?

So far, your lawyers have not been paid any money for their work on this case or costs they have paid to litigate it. Class Counsel will ask the Court to pay their attorneys' fees, expenses, and costs separate from the amount of restitution being paid to Class Members. **You do not have to pay anything to the lawyers.**

The settlement allows the Court to approve a reasonable payment to the lawyers. Class Counsel expect to ask the Court to approve payment in the amount of \$17,227,761.62 for the 11 years of work, expenses, and costs that they have put into this case.

Opting Out of the Settlement

What if I don't want to be part of this settlement?

You can only opt out of the settlement if you paid late fees by April 30, 2024 and don't want to get a refund from this case. If you opt out, you will not receive a payment, but you will have the right to file your own case against Equity Residential or the other Defendants. You cannot opt out of receiving credits for late fees that you were charged but did not pay by April 30, 2024.

To opt out, you must mail or email your request to opt out by April 16, 2026 to:

Munguia-Brown, et al. v. Equity Residential, et al.
c/o CPT Group, Inc.
PO Box 19504
Irvine, CA 92623
EquityMunguia-BrownLateFeeSettlement@cptgroup.com

Include the case name and number, your full name and all other names used while living at Equity properties, address, phone number, email (if you have one), and your signature (handwritten or typed).

Objecting to the Settlement

What if I disagree with the settlement?

If you disagree with any part of the settlement but don't want to opt out, you can object. You must say why you think the Court should not approve the settlement and whether your objection applies to just you, a part of the class, or the entire class. The Court will consider this when it decides whether to approve or reject the settlement. The Court cannot change the settlement. If you choose to object to the settlement, you can hire a lawyer to help you with it, or you can object without hiring a lawyer.

To object, you must submit your objection by April 16, 2026:

You can mail the objection to:
Class Action Clerk
U.S. District Court for the Northern District of California
1301 Clay Street, Oakland, CA 94612

You can also file the objection electronically or in person at any location of the United States District Court for the Northern District of California, which has courthouses in Oakland, San Francisco, and San Jose.

Your written objection must include:

- (a) your full name;
- (b) current address;
- (c) a written statement of your objection(s) and the specific reasons for each objection;
- (d) a statement of whether your objection(s) apply only to you, to a specific subset of the class, or to the entire class;
- (e) your signature; and
- (f) the case name and case number (*Munguia-Brown, et al. v. Equity Residential, et al.*, No. 4:16-cv-01225-JSW).

If you submit a timely written objection, you may, but are not required to, appear at the Final Approval Hearing on June 26, 2026 at 9:00 AM, either in person or through your own attorney.

Key Resources

- All settlement documents can be found here:
www.EquityMunguia-BrownLateFeeSettlement.com
- For questions about the settlement, call: 1-888-545-0143
- You are welcome to contact the Settlement Administrator or attorneys listed above with any questions. Please do not contact the Court or Defendants.
- You can also access the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.
- **Para asistencia en español, por favor visite**
www.EquityMunguia-BrownLateFeeSettlement.com