



United States District Court  
*Van Cott v. Equity Residential, et al.*  
Case No. 4:25-cv-02358

# 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 October 29, 2022 and April 30, 2024.

Based on a lawsuit settlement, you may have the right to receive a payment or credit to your Equity account.

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 October 29, 2022 and April 30, 2024, you may be included in a class action settlement and entitled to a partial refund of the late fees you paid or a partial credit to your Equity Residential tenant account of late fees you were charged but have not yet paid.
- Unless you opt out, the primary tenant from your unit will automatically receive a payment or Equity Residential will issue an account credit and you will be part of the settlement.

For more details about the case and the settlement, go to: [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com)

**Para asistencia en español, por favor visite [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com)**

# About This Notice

## Why did I get this notice?

There is a proposed settlement of a class action lawsuit. The case was brought on behalf of Equity Residential tenants who were charged Equity Residential's Standard Late Fee of 5% of rent, minimum \$50, for the first time between October 29, 2022 and April 30, 2024.

**You received this notice because you are a member of this group of tenants, called the "class."** Under the settlement, class members are entitled to partial refunds of the Standard Late Fees they paid to Equity Residential. Class members who were charged the Standard Late Fee but have not paid it as of July 18, 2025, will receive a partial credit to their Equity Residential tenant accounts.

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:

<b>Do Nothing</b>	If you do nothing, the primary tenant from your unit will receive a check in the mail or Equity Residential will credit your tenant account and you will be part of the settlement.
<b>Select a Different Payment Option</b>	If you are entitled to a payment for a partial refund of the late fees you paid to Equity Residential and you were the primary tenant, you can request to be paid by Paypal, Venmo, or Zelle instead of by check.
<b>Dispute Your Payment/Credit Amount</b>	If you disagree with the payment or credit you are owed, let the Settlement Administrator know by making a statement and providing evidence to support your assertion on the settlement website <a href="http://www.equityvancottlatefees.com">www.equityvancottlatefees.com</a> or by sending an email to <a href="mailto:Info@equityvancottlatefees.com">Info@equityvancottlatefees.com</a> , with the subject line "Van Cott Dispute."
<b>Opt Out</b>	Opting out means you won't receive any payment and won't be part of the class. You would have the right to file your own lawsuit against Equity Residential or the other Defendants.
<b>Object</b>	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 or credit.

## Key dates

Deadline to dispute your payment/credit amount: **October 6, 2025.**

Deadline to opt out or object: **October 27, 2025.**

Deadline to select a different payment option: **October 27, 2025.**

Final settlement approval hearing: **January 9, 2026.**

## 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%, minimum \$50) that Equity charged its California tenants from October 2022 to April 2024. There is another case, called *Munguia-Brown v. Equity Residential*, that is still pending before the same court. That lawsuit covers different groups of tenants depending on the date they were first charged the Standard Late Fee. This lawsuit that has settled is limited to tenants who were first charged the Standard Late Fee between **October 29, 2022, and April 30, 2024.**

Equity Residential denies that it did anything wrong.

### What is a class action settlement?

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

### Why is there a settlement in this lawsuit?

In April 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 you can choose not to be part of the settlement, which means you will not receive any payment or account credit in this case, but you would still be able to bring your own lawsuit. This is called “opting out.” You can also object to the settlement if you don’t like it.

### Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in this lawsuit at:  
[www.equityvancottlatefees.com](http://www.equityvancottlatefees.com)

Because a class action decides the rights of all class members, the Court must evaluate

the settlement and decide whether to approve it. Payments 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 January 9, 2026, at 9:00 am at:  
California Northern District Court  
Courtroom 5, 2nd Floor  
1301 Clay Street, Oakland, CA 94612

The scheduled hearing date could change. You can check the date at: [www.equityvancottlatefees.com](http://www.equityvancottlatefees.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 up to a total of \$2,934,620.00 to class members as part of the settlement. Up to \$2,272,224 will be used to reimburse class members who were the primary tenants in their unit for the late fees they paid between October 29, 2022 and April 30, 2024: those class members will be refunded the total late fees they paid minus \$31.98 per late fee, which represents how an expert hired by Class Counsel calculated Equity Residential's average actual costs for collecting late rent in the related *Munguia-Brown* case.

For tenants who were charged late fees between October 29, 2022 and April 30, 2024, but had not yet paid those late fees by July 18, 2025, Equity Residential will use up to \$662,396 to credit the tenants' accounts for those late-fee charges, reducing each unpaid late fee charge to \$31.98.

These payments and credits represent the actual amounts of class members' late fees minus the amount that Class Counsel believes is the proper deduction for Equity's cost of late rent collection. Separate from these payments, Defendants will also pay to administer the settlement (expected to be approximately \$50,000.00). Plaintiff will also ask the Court

to order Equity Residential to separately pay Class Counsel \$430,000 for their attorneys' fees and costs, and make a \$5,000 payment to the tenant who brought this lawsuit for the time and effort they put into the case and the risk they took. These payments will only be made if the Court approves them.

Class members will "release" their claims as part of the settlement, which means they cannot sue Equity Residential or the other Defendants for the issues raised in this lawsuit. You can read the full terms of the settlement at: [www.equityvancottlatefees.com](http://www.equityvancottlatefees.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 paid?

If the Court approves the settlement, you do not need to do anything. You (or the primary tenant from your unit) will receive a check in the mail or Equity Residential will credit your tenant account, and you will be bound by the settlement.

If you want to receive your payment by Paypal, Venmo, or Zelle instead of a check, you can do that by going to: [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com).

## How much will I be paid?

If you are a class member, you should have received an email or postcard containing the amount of the payment or credit you can expect to receive under the settlement.

If you did not receive the notice, or have any questions, you can call visit [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com) or call (844) 496-1050.

## When will I be paid?

Class members cannot be paid until at least 75 days after Final Approval of the settlement. Payments will not be made until at least spring 2026.

Please update your contact information with the settlement administrator at [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com) or (844) 496-1050.

## 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. <b>Dardarian Ho Kan &amp; Lee</b> 155 Grand Avenue Suite 900 Oakland, CA 94612 (800) 531-4446 EquityLateFeesVC@dhkl.law	Margaret McBride, Esq. <b>Community Legal Services in East Palo Alto</b> 1861 Bay Road East Palo Alto, CA 94303 (650) 326-6440	Craig Nicholas, Esq. Alex Tomasevic, Esq. <b>Nicholas &amp; Tomasevic LLP</b> 225 Broadway, 19th Floor San Diego, CA 92101 (619) 325-0492
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------

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 or costs. They will request to be paid as part of the Settlement process. **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 \$430,000. Any amount awarded will be separate from the payments to be made to class members.

## Opting Out of the Settlement

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

You can opt out of the settlement. 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.

To opt out, you must mail or email your request to opt out by October 27, 2025, to:

Van Cott v. Equity Residential, et al.  
c/o Settlement Administrator  
P.O. Box 25226  
Santa Ana, CA 92799  
Info@equityvancottlatefees.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 October 27, 2025.

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:

- (1) the case name and number;
- (2) your full name and all other names used while living at Equity properties;
- (3) your address, phone number, and email (if you have one);
- (4) the reasons why you think the agreement should not be approved;
- (5) whether you or your lawyer intend to appear at the settlement approval hearing and your lawyer's name; and
- (6) your signature (handwritten or typed).

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

## Key Resources

- All settlement documents can be found here: [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com)
- For questions about the settlement, call: (844) 496-1050
- You are welcome to contact the Settlement Administrator or attorneys listed above with any questions. Please do not contact the court or Defendants.
- **Para asistencia en español, por favor visite [www.equityvancottlatefees.com](http://www.equityvancottlatefees.com)**