San Francisco Residential Rent Stabilization and Arbitration Board

NOTE: If your building was constructed after June 13, 1979, the rental unit is not subject to the Rent Ordinance and we cannot process your petition.

Rent Board Date Stamp

TENANT PETITION

⬇Rental Unit Information⬇

_____ _____ _____ San Francisco, CA 941_____
Street Number of Unit | Street Name | Unit Number | Zip Code

_____ _____ _____
Name of Building Complex (If Applicable) | Entire Building Address (lowest & highest numbers) | # of Units in Building

Was the building constructed before June 13, 1979? ☐ Yes ☐ No ☐ Don't Know Current Monthly Base Rent: $_____

Move-in Date: _____ At move-in, this was: ☐ a vacant unit ☐ part of an existing tenancy

The rent is paid to (select one): ☐ Owner ☐ Resident Manager ☐ Management Co. ☐ Other _____

If you pay rent to a Master Tenant, you must use the Subtenant Petition form instead of this Tenant Petition form.

Please list the case numbers of prior relevant Rent Board petitions: _____

⬇Tenant Information⬇ *Please list each tenant petitioner. If more room is needed, attach additional sheet.*

1.

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

2.

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

⬇Tenant Representative Information⬇ ☐ Attorney ☐ Non-attorney Representative ☐ Interpreter

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

25 Van Ness Avenue #320, San Francisco, CA 94102 Phone 415.252.4602 Fax 415.252.4699

TENANT PETITION

Please provide the following information for all landlord representatives who should receive notice of this petition:

⬇Owner Information⬇

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

⬇Resident Manager Information (if applicable)⬇

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

⬇Management Company Information (if applicable)⬇

Name of Company | First Name of Manager | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

⬇Other Landlord Representative Information (if applicable)⬇ ☐ Attorney ☐ Non-attorney Representative

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

⬇Other Landlord Representative Information (if applicable)⬇ ☐ Attorney ☐ Non-attorney Representative

First Name | Middle Initial | Last Name

Mailing Address: Street Number | Street Name | Unit Number | City | State | Zip Code

Primary Phone Number | Other Phone Number

TENANT PETITION

I am filing this petition for the following reason(s): *(Check ONLY the reasons that apply.)*

☐ **A. Substantial Decrease in Housing Services:** *(Form A must be attached to petition.)*

I have received a *substantial* decrease in housing services without a corresponding decrease in the rent. This includes claims based on noncompliance with Uniform Hotel Visitor Policy.

☐ **B. Failure to Repair and Maintain:** *(Form B must be attached to petition.)*

I received a notice of rent increase *within the last 60 days* and I do not believe I should pay it because the landlord has failed to do requested repair and maintenance that is required by law.

☐ **C. Unlawful Rent Increase(s):** *(Form C must be attached to petition.)*

I received an unlawful rent increase and/or I want the Rent Board to determine whether my current rent is a lawful amount.

☐ **D. Challenges to Passthroughs:** *(Form D must be attached to petition.)*

The landlord improperly imposed or failed to discontinue one or more of the following passthroughs:

- ☐ a. Utility (Gas and Electric) Passthrough
- ☐ b. Water Revenue Bond Passthrough
- ☐ c. General Obligation Bond Measure Passthrough
- ☐ d. Capital Improvement Passthrough

☐ **E. Other:** _____ *(Attach a written explanation of the relief sought, such as a request for determination of jurisdiction/exemption, or other request for a hearing.)*

DECLARATION OF TENANT PETITIONER(S)

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THIS INFORMATION AND EVERY ATTACHED DOCUMENT, STATEMENT AND FORM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NOTE: Every tenant of the rental unit who wishes to be included in this petition must sign this declaration. Any tenant who lives in a different rental unit must file a separate petition.

(Print Name)	(Signature of Tenant Petitioner)	(Date)
(Print Name)	(Signature of Tenant Petitioner)	(Date)
(Print Name)	(Signature of Tenant Petitioner)	(Date)

TENANT PETITION – FORM C

UNLAWFUL RENT INCREASE STATEMENT

Please fill out all applicable information on this form. If you pay rent to a Master Tenant, please use the Subtenant Petition form instead.

☐ **1. My base rent was unlawfully increased by an amount that exceeds all allowable annual and banked increases.** *(To determine your lawful base rent, the Rent Board must review your complete rent history starting with the date the original tenancy began or April 1, 1981, whichever is later.)*

a. I moved in on _____

b. ☐ This was a new tenancy and the unit was vacant immediately before I moved in; OR

☐ This was an existing tenancy and other tenants were living in the unit when I moved in.

c. If this was a new tenancy, what was the total initial *base* rent when you moved in? $ _____

d. If this was an existing tenancy:

i. When did the original tenant(s) move in? i. _____

ii. What was the total initial base rent for the original tenant(s)? ii. $ _____

e. *(Proposition I Affected Units)* If: (i) you live in a 2 - 4 unit building; *and* (ii) your tenancy commenced on or before December 21, 1994; *and* (iii) an owner lived in the building on December 22, 1994, check here: ☐

☐ **2. I want the Rent Board to determine whether my current rent is a lawful amount.**

Please provide your full rent history on the back of this form and provide any additional information below that helps to explain your claim. *If you are only contesting a rent increase that was imposed pursuant to the Costa-Hawkins Rental Housing Act or Rules and Regulations §6.14, you do not need to provide your full rent history on Form C, page 2-C, but you do need to complete the Costa-Hawkins/§6.14 Rent Increase Statement on Form C, page 3-C.*

_____

_____

_____

_____

_____

_____

TENANT PETITION – FORM C

RENT HISTORY

If you are only contesting a rent increase that was imposed pursuant to the Costa-Hawkins Rental Housing Act or Rules and Regulations §6.14, you do not need to provide your full rent history on this page, but you do need to complete the Costa-Hawkins/§6.14 Rent Increase Statement on Form C, page 3-C.

PLEASE FOLLOW THESE INSTRUCTIONS CAREFULLY

- In the chart below, first write the date the original tenancy began ("Move-in Date"). Then write the amount of the base rent at the commencement of the tenancy (the "Total Initial Base Rent"). (If the tenancy began before April 1, 1981, write the rent in effect on April 1, 1981 instead of the rent at the commencement of the tenancy.) This amount should be the rent for the ***entire rental unit***, not just your share of the rent.
- Starting in Box No. 1 under "Date of Increase," list the date of each rent increase for the tenancy (even if the increases occurred prior to your occupancy), starting with the first rent increase after the Move-in Date and ending with the most recent rent increase. (If you need additional space, please attach another page.)
- Opposite each rent increase date, write the total amount of the new rent after that increase ("Total New Rent").
- If there was more than one reason for a rent increase on the same date (for example, an annual increase plus a capital improvement passthrough), please list each increase separately.
- Attach documents that demonstrate the date and amount of each rent increase such as the original lease, rent increase notices, rent receipts, money order receipts and/or canceled rent checks.

DATE OF INCREASE (Month/Date/Year)	**TOTAL NEW RENT** (Dollar Amount)	**DATE OF INCREASE** (Month/Date/Year)	**TOTAL NEW RENT** (Dollar Amount)
Move-in Date:	Total Initial Base Rent: $		
1.	$	8.	$
2.	$	9.	$
3.	$	10.	$
4.	$	11.	$
5.	$	12.	$
6.	$	13.	$
7.	$	14.	$

TENANT PETITION – FORM C

COSTA-HAWKINS/§6.14 RENT INCREASE STATEMENT

☐ **3. The landlord has improperly increased my rent under the Costa-Hawkins Rental Housing Act and/or Rules and Regulations Section 6.14.** *(Attach the rent increase notice you are challenging. If you want the Rent Board to review your complete rent history and determine your lawful base rent, you must also complete Page 2-C of Form C. Otherwise, only the validity of the Costa-Hawkins and/or §6.14 rent increase will be determined.)*

The Costa-Hawkins Rental Housing Act [Civil Code Section 1954.53(d); Ordinance Section 37.3(d)] provides that **when the last original occupant no longer permanently resides in the unit**, the landlord may increase the rent by any amount to a lawful subtenant or assignee who did not reside in the unit prior to January 1, 1996. A subtenant who resided in the unit before January 1, 1996 is not subject to such a rent increase. In addition, any co-tenant who moved in after the original occupant is not subject to such a rent increase, regardless of when the co-tenant moved in. A co-tenant is someone who has an oral or written agreement with the landlord, or whom the landlord has treated as a tenant by the acceptance of rent or other conduct.

Rules and Regulations Section 6.14 separately provides for an unlimited rent increase on remaining occupants **when the last original occupant vacates the unit**, if the landlord timely served all remaining occupants with a written "6.14 notice." A 6.14 notice can be served on any subsequent occupant, whether the subsequent occupant is a subtenant or a co-tenant. The 6.14 notice must inform the subsequent occupant that the landlord can impose an unlimited rent increase when the last original tenant vacates the unit. In addition, the 6.14 notice must be served on the subsequent occupant within a reasonable time after the landlord knows or should have known that the subsequent occupant resides in the unit. Generally, sixty days is considered reasonable.

Reasonable, temporary absences from the unit, such as for work, travel or education, will not warrant a determination that the original occupant has vacated or no longer permanently resides in the unit.

PLEASE CHECK ALL APPLICABLE BOXES BELOW AND ATTACH ALL RELEVANT EVIDENCE THAT SUPPORTS YOUR CLAIM THAT THE RENT INCREASE IS UNLAWFUL:

☐ **a. I am contesting the rent increase under the Costa-Hawkins Act because:**

- ☐ i. An original occupant still permanently resides in the unit.
- ☐ ii. I am a lawful subtenant or assignee who resided in the unit prior to January 1, 1996.
- ☐ iii. I am a co-tenant with a direct landlord-tenant relationship with the landlord.
- ☐ iv. Other reason (*Explain*):_____

_____

_____

☐ **b. I am contesting the rent increase under Section 6.14 because:**

- ☐ i. The last original occupant has not vacated the unit.
- ☐ ii. The landlord did not timely serve me with a valid 6.14 notice.
- ☐ Other reason (*Explain*): _____

_____

_____

TENANT PETITION – FORM C