Residential Rent Stabilization & Arbitration Board
City & County of San Francisco

WATER REVENUE BOND PASSTHROUGH WORKSHEET (for multiple years)

Ordinance Section 37.3(a)(5)(B); Rules and Regulations Section 4.14

Use this form when calculating the Water Revenue Bond Passthrough for more than one calendar year.

Property Address _____ Date _____

Landlord's Name _____ Phone _____

Dear Tenant:

A landlord may pass through 50% of the water bill charges attributable to water rate increases resulting from the issuance of Water System Improvement Revenue Bonds authorized at the November 2002 election (Proposition A). Water bills prepared by the S.F. Public Utilities Commission commencing July 1, 2005 specify the water bill charges that are eligible for the passthrough. The eligible charges are only a portion of the landlord's total water bill.

Attached is the calculation of the water revenue bond passthrough for your unit. The Monthly Passthrough Amount is based on the water revenue bond charges incurred for two or more previous calendar years. (A calendar year means January through December, not an alternate twelve-month period, though the landlord does not have to prorate water bills for service periods that fall into two different calendar years. The landlord can elect to include such bills in either calendar year, but cannot include the same bill in both years.) The landlord must not include charges incurred prior to commencement of your tenancy. If you moved in during the middle of a calendar year, the landlord may pass through the charges for the remainder of that calendar year, starting with the billing period following commencement of tenancy.

The water revenue bond passthrough for multiple years may be imposed only on the tenant's rent increase anniversary date. The passthrough does not become part of the tenant's base rent and must be discontinued after the tenant has paid it for the number of months specified on Line 5 of the attached Worksheet (page 2). The landlord is required to refund any overcharges if the passthrough is not discontinued on time.

The amount on Line 6 of the attached Worksheet (page 2) is the monthly amount that the landlord can pass through to your unit after service of a written notice of rent increase pursuant to Civil Code §827. All pages of the Worksheet, including this page, must be attached to the notice of rent increase. In addition, Rules and Regulations §4.14(b) requires the notice of rent increase to:

- specify the dollar amount of the monthly passthrough, the period of time covered by the water bill(s) that are used to calculate the passthrough and the number of months that the tenant is required to pay the passthrough (see Line 5);
- explain that the passthrough is based on the issuance of Water System Improvement Revenue Bonds;
- include a copy of the completed Water Revenue Bond Passthrough Worksheet;
- state that the tenant can receive a copy of the applicable water bill(s) from the landlord upon request; and,
- state that the unit is in compliance with any applicable laws requiring water conservation devices.

Tenant Financial Hardship: A tenant may file a hardship application with the Rent Board requesting relief from all or part of the Water Revenue Bond Passthrough. A hardship application must be filed within one year of the effective date of the Water Revenue Bond Passthrough. Once a hardship application is filed, the tenant need not pay the passthrough until a decision is made by an Administrative Law Judge after a hearing on the tenant's hardship application. Hardship applications are available from the Rent Board's office at 25 Van Ness Avenue, Suite 320, San Francisco, CA 94102 or visit the Rent Board's website at www.sfrb.org.

Tenant Challenge of Improper Water Revenue Bond Passthrough: Within one year of the effective date of a Water Revenue Bond Passthrough, a tenant may petition for an arbitration hearing on the following grounds:

- The landlord has not properly calculated the passthrough;
- The passthrough is calculated using an incorrect unit count;
- The landlord failed to provide a clear written explanation of the charges and the calculation of the passthrough;
- The unit is not in compliance with applicable laws requiring water conservation devices;
- The tenant requested a copy of the applicable water bills and the landlord has not provided them;
- The tenancy began during or after the billing periods included in the passthrough calculation;

If the landlord fails to discontinue the passthrough after it is fully paid, a tenant may file a petition on this basis at any time after the passthrough should have been discontinued; such petition is not subject to the one-year filing limitation. (Please note: A Water Revenue Bond Passthrough may remain in effect only for the same number of months covered by the water bills that were used to calculate the monthly passthrough amount.)

24-Hour Information Line 415.252.4600 **www.sfrb.org** **25 Van Ness Avenue, #320**
FAX 415.252.4699 **San Francisco, CA 94102-6033**

WATER REVENUE BOND PASSTHROUGH WORKSHEET (for multiple years)

Use this form when calculating the Water Revenue Bond Passthrough for more than one calendar year.

List Each Bill Date	List The Service Period For Each Water Bill*		List Each Eligible Water Bill Charge**
	From to	YEAR #1	$
	From to		$
	From to		$
	From to		$
	From to		$
	From to		$
	From to	YEAR #2	$
	From to		$
	From to		$
	From to		$
	From to		$
	From to		$
	From to	YEAR #3	$
	From to		$
	From to		$
	From to		$
	From to		$
	From to		$
	From to	YEAR #4	$
	From to		$
	From to		$
	From to		$
	From to		$
	From to		$
Add all amounts listed above to get Total Eligible Charges: *If seeking a passthrough based on charges for more than four years, continue to list each bill date, service period and eligible water bill charges on a separate page, but list the total of all eligible charges for all years on Line 1.*		1	$
Divide Line 1 by two to get 50% of Eligible Charges:		2	$
List Total # of Residential & Commercial Units Covered by the Water Bills:		3	
Divide Line 2 by Line 3:		4	$
List Total # of Months Covered by the Water Bills Listed on this Form: *This is the number of months the landlord is allowed to collect the Monthly Passthrough.*		5	
Divide Line 4 by Line 5 to get Monthly Passthrough Amount Per Unit:		6	$

***** The landlord must use calendar years to calculate the passthrough. A calendar year means *service periods* (not *bill dates*) from January through December, and not an alternate twelve-month period. It is not necessary to prorate water bills for service periods that fall into two different calendar years. The landlord can elect to include such bills in either calendar year, but cannot include the same bill in both years. The landlord must not include charges incurred prior to commencement of the tenancy. If the tenant moved in mid-year, the landlord must calculate the passthrough using only the bills beginning with the next service period after the tenancy commenced.

****** If the landlord received a rent increase based on operating and maintenance expenses in which the same water bill charges were included in the comparison year cost totals, the landlord may not also impose a water revenue bond passthrough for that same period.