

<b>CITY OF OAKLAND</b> <b>RENT ADJUSTMENT PROGRAM</b> <b>Mail To: P O Box 70243</b> <b>Oakland, California 94612-0243</b> (510) 238-3721	For date stamp.
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**Please Fill Out This Form As Completely As You Can. Failure to provide needed information may result in your petition being rejected or delayed.**

## **TENANT PETITION**

Your Name	Rental Address (with zip code)	Telephone Day: _____ Evening: _____
Your Representative's Name	Mailing Address (with zip code)	Telephone Day: _____ Evening: _____
Property Owner(s) name(s)	Mailing Address where you pay your rent (with zip code)	Telephone Day: _____ Evening: _____

Number of units on the property: \_\_\_\_\_.

Type of unit you rent (circle one)	House	Condominium	Apartment or Room
Are you current on your rent? (circle one)	Yes	No	Legally Withholding Rent. You must attach an explanation and citation of code violation.

**I. GROUNDS FOR PETITION:** Check all that apply. You must check at least one box. For all of the grounds for a petition see OMC 8.22.070.

**I (We) contest one or more rent increases greater than the annual CPI increase allowed, on the grounds that:**

<input type="checkbox"/>	(a) The increase(es) exceed(s) the CPI Adjustment and is (are) unjustified;
<input type="checkbox"/>	(b) The owner did not give me a summary of the justification(s) for the increase despite my written request;
<input type="checkbox"/>	(c) The rent was raised <u>illegally</u> after the unit was vacated (Costa-Hawkins violation). <b>Not all such increases are illegal. See OMC 8.22.080.</b>

**I (We) contest one or more rent increases, regardless of amount, on the grounds that:**

	(d) No written notice of Rent Program was given to me together with the notice of increase I am contesting. <b>(only for increases noticed after July 26, 2000)</b>
	(e) A City of Oakland form notice of the existence of the Rent Program was not given to me at least six months before the effective date of the rent increase I am contesting.
	(f1) The housing services I am being provided have decreased. (Complete Section below)
	(f2) At present, there exists a health, safety, fire, or building code violation in the unit <u>for which the owner has been cited in an inspection report</u> . <b>Please attach a copy of any citation or report.</b>
	(g) The contested increase is the second rent increase in a 12-month period.

**II. RENTAL HISTORY You must complete this section.**

Date you moved into the Unit: \_\_\_\_\_ **Initial Rent:** \$ \_\_\_\_\_/mo.  
 When did your landlord first provide you with a written NOTICE TO TENANTS of the existence of the Rent Adjustment Program? Date: \_\_\_\_\_. If never provided, enter "Never."

- Is your rent subsidized or controlled by any government agency, including HUD (Section 8)? Yes No
- If you are challenging a rent paid to a former owner, what is his or her name and address?

\_\_\_\_\_.

**List all rent increases received. Begin with the most recent and work backwards. If you need additional space, please attach another sheet. You must check "Yes" next to each increase that you are challenging.**

Date Notice Served (mo/day/year)	Date Increase Effective (mo/day/year)	Amount Rent Increased		Are you Contesting this Increase in this Petition?*	Did You Receive a Rent Program Notice With the Notice Of Increase?	Landlord's name.
		From	To			
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		\$	\$	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

\* You have 60 days from the date of notice of increase or from the first date you received written notice of the existence of the Rent Adjustment program (whichever is later) to contest a rent increase. (O.M.C. 8.22.090 A 2)

List case number(s) of all Petitions you have ever filed for this rental unit: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**III. DESCRIPTION OF DECREASED OR INADEQUATE HOUSING SERVICES. Decreased or inadequate housing services are considered an increase in rent. If you claim an unlawful rent increase for service problems, you must complete this section.**

- Are you being charged for services originally paid by the landlord?  Yes  No  
 Have you lost services originally provided by the landlord?  Yes  No  
 Are you claiming any serious problem with the condition of your rental unit?  Yes  No

**If you answered "Yes" to any of the above, please attach a separate sheet listing a description of the reduced or service(s) and problem(s) and explain how you calculate the dollar value of the service(s) lost or loss of use of the unit. Be sure to include at least, the following: 1) List the lost housing service or the serious problems; 2) State the date the loss began or the date you began paying for the service; 3) how you calculate the value of lost service. Please attach documentary evidence if available,**

To have a unit inspected and code violations cited, contact the City of Oakland, Code Compliance Unit, 250 Frank H. Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland, CA 94612. (Phone: (510) 238-3381)

**IV. VERIFICATION** Each petitioner must sign this section:

**I declare under penalty of perjury pursuant to the laws of the State of California that everything I said in this petition is true and that all of the documents attached to the petition are true copies of the originals.**

\_\_\_\_\_  
Tenant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tenant's Signature

\_\_\_\_\_  
Date

**IV. MEDIATION AVAILABLE.** You have the option of mediating your complaints before going to hearing. Mediation is an entirely voluntary process to assist you in reaching an agreement with your landlord. In mediation, the parties discuss the situation with someone not involved in the dispute, discuss the relative strengths and weaknesses of the parties' case, and consider the needs of the parties involved.

You may choose to have the mediation conducted by a Rent Adjustment Program Hearing Officer or select an outside mediator. Rent Adjustment Program Hearing Officers conduct mediation sessions free of charge. If you agree to mediation before a Rent Adjustment Program Hearing Officer, a mediation session will take place before the hearing begins. If you and the landlord agree to an outside mediator, please call (510) 238-3721 to make arrangements. Any fees charged by an outside mediator for mediation of rent disputes will be the responsibility of the parties requesting the use of their services.

You may bring a friend, representative or attorney to the mediation session. Mediation will be scheduled only if both parties agree and after your petition has been filed and your landlord's response has been filed with the Rent Adjustment Program. **The Rent Adjustment Program may not schedule a mediation session if your landlord does not file a response to the petition.** Rent Board Regulation 8.22.100.A.

**If you want to schedule your case for mediation, sign below.**

I agree to have my case mediated by a Rent Adjustment Program Staff Hearing Officer (no charge).

\_\_\_\_\_  
Tenant's Signature

\_\_\_\_\_  
Date

**V. IMPORTANT INFORMATION:**

**Time to File** This form must be **received** at the offices of the City of Oakland, Rent Adjustment Program, Dalziel Building, 250 Frank H. Ogawa Plaza Suite 5313, Oakland, CA 94612 within the time limit for filing a petition set out in the Rent Adjustment Ordinance, Oakland Municipal Code, Chapter 8.22. Board Staff cannot grant an extension of time to file your petition by phone. For more information, please call: (510) 238-3721.

**File Review**

Your landlord will be required to file a response to this petition within 35 days of notification by the Rent Adjustment Program. You will be mailed a copy of the landlord's Response form. However, copies of **documents attached** to the Response form will not be sent to you. However, you may review these in the Rent Program office by appointment. For an appointment to review a file call (510) 238-3721. Please allow six weeks from the date of filing before scheduling a file review.