

Petition Process -forTenants





Supporting Documents

===		CITY OF MOUNTAIN VIEW
INS	TRUCTIONS FOR COMPLETING A T	TENANT PETITION FOR DOWNWARD UNDER THE CISTRA
rental prope to implement Consumer F	rties with three or more units, occupied pr it armual general adjustments of rent for th Price Index (for All Urban Consumers, SF-I	RA') of the City of Mountain View Section applies to for to February 1, 1995. The CSFRA allows landords neise properties equal to the percentage increase in the Owkland-San Jone Region (CPF). It also allows both ints, downward or upward, if certain conditions are met.
adjustment I habitable pr forth genera Committee to carefully i for filling a i	based on any of the following reasons: (1) emises anklor (3) decrease in housing see it provisions, which are supplemented by in See Chapter 4 and 5 of the Regulations 1	es night to petition for an "includinal" desensend rest, paymed in excess of landar rent. (2) failure in orientation paymed in excessor. (3) failure in CSFRA sets note specific regulations adopted by the Rental Funda- tion set of the set of the set of the Rental Funda- tion and the Republic failure and set of the Rental Funda- tion of the Rental Fundamental Fundamental Fundamental Fundamental Fundamental Regulations, are posted on
Rent. A ten the petition 1. Putit	nant may file either one or both of thes it ion A: Payment in excess of lawful rent	d for a Tenant's Individual Downward Adjustment or se petition forms, depending on the reason for filing
2. Pess	ion B: Failure to maintain habitable premis	ses and/or decrease in housing services or maintenance
	COMPLETE THE PETITION	
	plets the entire Petition Packet, including t estort	the Petition Form and provide all documentation
	ure to check that you have:	
	 Decided whether to designate a representation form, if applicable; 	entative and completed the separate Representative
	 Attached your documentation to supported identified any unavailable documents in 	rt your claims as specified in the Petition Form, and the applicable section of the Petition Form:
	 Considered redacting any confidential information can be redacted and how to http://www.cand.uscourts.gov/pages/94 	information on your documents. For guidance on what is do so refer to:
		ormation for witnesses you intend to call at the hearing in
	Signed the Declaration in the Petition F	
	Allowheed a poster of the Medica of Protect	ission and Proof of Service to Landord of a Petition

Tenant	Petition
Instru	ictions

444		CITY OF MOUNTAIN VIE
For Office Use Only		
Patition No.	Clade Intake:	
Cite Address:	Date Filed:	
Intake Staff Initiats		
General Information A. Tenant information Name:		one: ()
Address and Unit Nur	nber of Rental Unit for Which thi	is Petition is Being Filed:
(Section in)	(Seed Vane)	(Artificides)
Current or Maring As	dress (if different from above):	
DESIGNATION	(Sec spec)	2,000 K,10000
Gir.		Tribat.
Frait		■ Yes Lord in for email communication
B. Reconsecutive los	constion	
Recrementative Auth	e a Regresentative to file this per conzation Form must be comp lowing information for your Repr	etition on your behalf or appear on your behalf, a pletted and submitted with this petition. Also, resentative below.
Name		Phone: ()
Mailing Address:		
Maling Address:		
Mailing Address: Email:	s)Manager(s) Responsible fo	or Receiving/Demanding Psyment in Excess of
Mailing Address: Email G. Landford/st/Owner	S)Manager(s) Responsible fo	or Receiving Demanding Payment in Excess of Phono:
Mailing Address: Email C. Landford(s)/Cemen Lands/ Rest Name:	S)Manager(s) Responsible fo	
Mailing Address: Email C. Landford(s)/Chinen Landfol Rent	s)Manager(s) Responsible to	

Tenant Petitions for Downward Adjustment of Rent



Notice of Submission and Proof of Service



Representative
Authorization Form



CSFRA Overview

1

 Establishes a Rental Housing Committee 7

• Sets Base Rent

3

 Determines Allowable Rent Increases

4

Creates a Petition
 Process for individual rent adjustments

5

 Provides Just Cause tenant eviction protections 6

Provides Relocation
 Assistance for certain displaced Tenants



CSFRA Covered Units

Multi-Family Units

First Certificate of Occupancy	Rent Increases	Just Cause	Rent Roll Back
Before February 1, 1995	✓	✓	✓
Between February 1, 1995 and December 23, 2016 (CSFRA effective date)	X	✓	X
After December 23, 2016	X	X	X

Fully Exempt Units

- X Single Family Homes
- **X** Condominiums
- X Companion Units
- X Duplexes
- X Units in hotels, motels, etc. rented out for less than 30 days
- X Units in hospitals, medical care facilities, dormitories, etc.
- X Government or subsidized rental units



Purpose of the Petition Process

1

Initiate a request for an individual adjustment of rent

2

Explain and document the bases for a rent adjustment

3

Establish fair and transparent procedures

4

of a pending petition and allow all parties to participate in the process



Bases for Tenant Petitions



Unlawful collection of rent



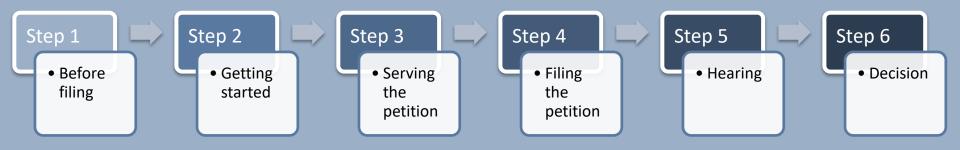
Failure to maintain habitable premises



Decrease in housing services or maintenance



Petition Process





Step 1: Before Filing the Petition



Determine if your unit is covered by the CSFRA



Choose which petition(s) you want to file (Petition A, B or both)



Check if other tenants want to file too



Decide if you want to authorize a representative



Wait!



If filing Petition B

- Contact the landlord to provide a chance to correct the problem
- Document this contact
- Wait 30 days for the landlord to fix the problem



Step 2: Getting Started



Download needed forms from mountainview.gov/rentstabilization



Gather required attachments



Complete the petition packet



Schedule an informal review with City staff (if desired)



Step 3: Serving the Petition



Make a copy of your petition packet



Complete the Notice of Submission to Landlord and Proof of Service form



Attach the Notice of Submission form to the front of the copy of your petition packet



Serve the **copy of your petition packet** on your landlord or landlord's agent



Step 4: Filing the Petition



Submit your petition to the City



City staff formally reviews petition for completeness



If complete, City staff sends you a Notice of Acceptance



Once accepted, the petition hearing process begins



Step 5: Hearing



Project Sentinel contacts you and the landlord



Prehearing settlement conference and/or hearing is scheduled



Prehearing: Facilitator informally explores settlement with involved parties



Hearing: Hearing officer formally hears the petition and makes a determination



Step 6: Decision



Prehearing: Agreement between parties implemented



Hearing: Hearing officer has 30 days to send written decision



Hearing: Decision final unless appealed in writing within <u>10</u> days



Hearing: Rental Housing Committee holds an appeal hearing within 30 days; issues final decision



Petitions Available

Petition A



Petition A:Unlawful Rent

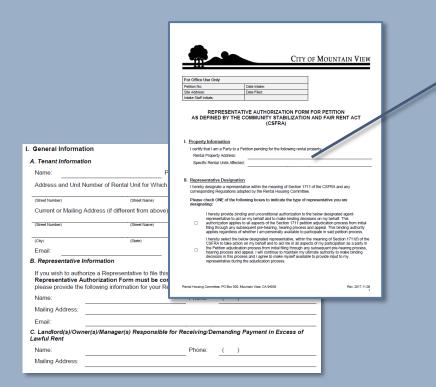
Petition B

777		Сіту	OF	Moun	TAIN VIEW
			_		
For Office Use Only					
Petition No:	Date Intake:		4		_
Site Address: Intake Staff Initials:	Date Filed:		-		
intake Starr Initials:			_		
HABITABLE PR COMMUNIT I. General Information	(NWARD RENT ADJU REMISES OR DECRE MAINTENANCE AS I Y STABILIZATION A	ASE IN HOL DEFINED B	JSING Y THE	SERVI	CES JR
A. Tenant Information					
Name:	Pho	one: ()		
Address and Unit Numbe	r of Rental Unit for Which th	is Petition is Be	ing File		
Current or Mailing Address (Street Number)	is (if different from above):		(Un	it Number)	
(Cty)	(State)		(2)0	Code)	
Email:		Yes Lon	t in for	email comn	nunication
B. Representative Informa	ation				
	Representative to file this paration Form must be comp	oleted and sub	mitted	or appear or with this p	n your behalf, a etition. Also,
If you wish to authorize a	ng information for your Rep	resentative belo			
If you wish to authorize a Representative Authoriz	ng information for your Rep	resentative belo Phone:	()	
If you wish to authorize a Representative Authoriz please provide the followi	ng information for your Rep)	
If you wish to authorize a Representative Authoriz please provide the followi Name:	ng information for your Rep)	
If you wish to authorize a Representative Authoriz please provide the followi Name: Mailing Address:		Phone:	(nt in Excess of
If you wish to authorize a Representative Authoriz please provide the followi Name: Mailing Address: Email: C. Landlord(s)/Owner(s)/I		Phone:	(nt in Excess of

Petition B: Failure to Maintain Premises or Decrease in Housing Services



Petitions A and B: Section I



You can choose to authorize a representative to file the petition for you.

If you choose this, you need to fill out, serve and file the Representative Authorization form at the same time that you serve and file the petition packet.

A representative can be attorneys, legal workers, Recognized Tenant Organizations, or any other person(s) designated by you.



Petitions A and B: Section II

		_									
Ш	I.	R	е	n	t	н	is	t	o	r	ı

Definition of "Rent": All periodic payments, including additional payment for parking, utilities, pets, subletting, and all nonmonetary consideration provided under a rental housing agreement such as labor performed, services rendered or goods provided for the benefit of the Landlord.

- 1. Move-in Date:
- 2. Amount of Rent on October 19, 2015:
- 3. Initial Rent Amount on Move-in Date: (If this date falls after October 19, 2015)
- Dates and Amounts of Rent Increases Since October 19, 2015, or Since Your Move-In Date if

	Date of Rent Increase	Amount of New Rent	Percentage of Rent Increase
a.			
b.			
c.			
d.			
e.			

- 5. Amount of Rent Currently Paid:
- 6. Names and Addresses of Roommates or any Other Person(s) who have Lived in the Rental Unit and Paid Rent During the Time Covered by this Petition (Do Not List Petitioners):

Name:	Phone:	()
Mailing Address:			
Email:			

Rent History.

When filling out Section II, be sure to determine your base rent.

Fill out *Line 2* if you moved into your apartment **on or before** October 19, 2015.

Fill out *Line 3* if you moved into your apartment **after** October 19, 2015.



Petition A: Section III

III. Rent Payments

List amounts of rent paid for only those months for which you claim payment in excess of lawful rent. Begin completing the chart with the most recent date for which you have evidence that you made a payment in excess of lawful rent. Complete this chart carefully, using a new line for each month for which you have evidence of paying rent. If you have roommates who also pay rent to the owner, include the total amount paid by everyone.

Month and Year of Rental Payment	Amount of Rent Paid	Li (For each line	nt in Excess of awful Rent item, also explain why this ceeded the lawful rent)	Form of Payment	Type of Evidence Submitted (Include Check or Money Order Number)
1.	\$	\$			
2.	\$	\$			
3.	\$	\$			
4.	\$	\$			
5.	\$	\$			
6.	\$	\$			
7.	\$	\$			
8.	\$	\$			
9.	\$	\$			
10.	\$	\$			
11.	\$	\$			
12.	\$	\$			
13.	\$	\$			
14.	\$	\$			

Rent Payments.

When filling out *Petition A: Section III*, determine the months that you paid too much rent (i.e. *payment in excess of lawful rent*).

Calculate the difference between what you paid and what you feel the lawful rent amount should have been.

Remember to explain why the calculated amount exceeds the lawful rent amount and provide evidence of your payment(s).



Petition B: Section III

III. Ground(s) for Petition

This Petition is based on one or both of the following provisions of Section 1710 of the Community Stabilization and Fair Rent Act (CSFRA): (check box that applies)

- □ Failure to Maintain Habitable Premises: Section 1710(b) (complete subsection IV)
- Decrease in Housing Services or Maintenance: Section 1710(c) (complete subsection V)

Grounds for Petition.

Petition B provides the opportunity to petition based on 2 grounds:

- Failure to Maintain Habitable Premises
- 2. Decrease in Housing Services or Maintenance

Mark the grounds for your petition here. You can choose one or both of the grounds stated here.



Petition A: Section IV

IV. Documentation

For your petition to be accepted for processing, you MUST attach copies of any of the following documents in your possession (and any other documents you believe are evidence) that show the amount of rent paid/retained. Submit <u>copies</u> only; keep the original documents and bring to any meeting or hearing in this matter. Check the box below to indicate the types of documentation being submitted.

	Documentation						
1.		Copies of rent checks or money orders					
2.		Receipts for payment of rent					
3.		Bank statements					
4.		Rental agreements and/or leases					
5.		Notice of rent increase for all time periods					
6.		Relevant correspondence with landlord/owner/manager					
7.		Separate agreements (including parking, storage or other amenities)					
8.		Other (explain):					

Documentation.

Petition A: Section IV, provides the opportunity to petition based on 2 grounds:

- 1. Failure to Maintain Habitable Premises
- 2. Decrease in Housing Services or Maintenance

Mark the grounds for your petition here. You can choose one or both of the grounds stated here.



Petition B: Section IV

IV. Conditions Establishing Failure to Maintain Habitable Premises

a. List the conditions that do not comply with governing health and safety and building codes, the
dates the failure started and, if applicable the end date, the estimated value of the failure.

	Describe Each Condition	Date(s) this Condition has been Present	Date Owner was Notified of Condition	Estimated Decrease in Rental Value Due to Condition
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Documentation for Petition for Failure to Maintain Habitable Premises

b. For your petition to be accepted for processing, you MUST attach copies of any of the following documents in your possession (and any other documents by ubelieve are evidence) that show the failure to maintain habitable premises. Submit <u>copies</u> only, keep the original documents and bring to any meeting or hearing in this matter. Check the box below to indicate the types of documentation being submitted.

	Documentation					
1.	1. A copy of any relevant City code inspection report					
2.		Rental agreements and/or leases				
3.		Relevant correspondence with landlord/owner/manager				
4.		Other (explain):				

Conditions Establishing Failure to Maintain Habitable Premises.

Petition B: Section IV, gives you the chance to describe and document each condition at your unit that does not meet government health, safety and building codes.

Provide as much documentation of the condition(s) as possible. If you plan to provide additional documentation, mark the "Other" box and explain what you included and why.



Petition B: Section V

V. Conditions for Decrease in Housing Services or Maintenance

a. List the decreases in housing services or maintenance

	Describe Each Condition	Date(s) this Condition has been Present	Date Owner was Notified of Condition	Estimated Decrease in Rental Value Due to Condition
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Documentation for Petition in Decrease in Housing Services or Maintenance

b. For your petition to be accepted for processing, you MUST attach copies of any of the following documents in your possession (and any other documents you believe are evidence) that show the amount of rent paid and retained. Submit <u>copies</u> only, keep the original documents and bring to any meeting or hearing in this matter. Check the box below to indicate the types of documentation being submitted.

	Documentation				
1.	0	Written notification to landlord with statement on the nature of the decrease in housing or maintenance services and requesting remediation at least 30 days prior			
2.		Rental agreements and/or leases			
3.		Relevant correspondence with landlord/owner/manager			
4.	0	Other (explain):			

Conditions for Decrease in Housing Services or Maintenance.

Petition B: Section V gives you the chance to describe and document each condition at your unit that shows a decrease in housing services or maintenance.

Provide as much documentation of the condition(s) as possible. If you plan to provide additional documentation, mark the "Other" box and explain what you included and why.



Petition A: Section V and B: Section VI

V. Missing Documentation

If there is a month or months for which you have not attached any documentation in the section above:

- 1. Identify the line number from Section IV. and the month.
- 2. Explain why you have not attached documentation, including why it was not eadily available to you and/or what actions, if any, you took to try to get this documentation
- 3. Describe any testimony in Section VI. below that a witness would provide at a hearing to take the

place of any missing accumentation.	

Missing Documentation.

There may be time periods for which you do not have documentation. If you are missing documentation for any time period in your petition, explain why it is missing here.



Petition A: Section VI and B: Section VII

VI. Petitioner's Witness and Expert Witness List If an expert witness report will be submitted at the hearing one copy of the report must be submitted either together with the Petition or at least ten (10) business days prior to the hearing. Witness List Please indicate: Yes, I wish to have the following witnesses (fill out the witness information below) No, I do not wish to introduce witnesses other than the petitioner Petitioner's Witness List Subject matter the Testimony Name of Witness Address of Witness of this Witness will Cover 2. **Expert Witness List** Name and Address of Summary of the Expert Subject Matter that the Testimony Expert Witness Qualifications of this Witness of this Witness will Cover

Witnesses.

You can have a witness or witnesses testify about the claim(s) made in your petition during the hearing.

Mark yes if you would like to have a witness or witnesses at your hearing and fill out the information requested for each witness <u>or</u> no if you do not wish to have a witness or witnesses at your hearing.



Petition A: Section VII and B: Section VIII

VII. Request for Prehearing Settlement Conference

Prior to the hearing regarding a petition for an individual rent adjustment, a voluntary prehearing settlement conference may be scheduled with a settlement conference facilitator, to provide an expeditious mechanism for the parties to resolve their differences informally with the assistance of a skilled intermediary. Any settlement agreement will be a private record and is not subject to public disclosure.

- I hereby request a voluntary prehearing settlement conference
- I do not wish to request a voluntary prehearing settlement conference

Voluntary Prehearing Settlement Conference.

You can choose to request a prehearing settlement conference before a formal hearing. This gives you a chance to try to informally come to an agreement with your landlord, with the help of a trained facilitator.



Petition A: Section VIII and B: Section IX

VIII. Additions/Explanations Instructions: Use this section to add to or explain your entries on the coversheet or any of the prior worksheets. Be sure to identify which prior section(s) you are supplementing.

Additional Explanations.

You can provide an extra information to support your petition in this section.

Attach separate sheets of paper if more room is needed to explain your circumstance(s).



Petition A: Section IX and B: Section X

IX. Declaration

I (we) declare under penalty of perjury under the laws of the State of California that the contents of the foregoing Petition and all attachments and accompanying documents, are true and correct and complete.

I also certify that a copy of this petition and all attachments and accompanying documents have been served on the owner(s) listed on page 1. A completed *Tenant Notice of Submission and Proof of Service to Landlord of a Petition Requesting Downward Adjustment of Rent is attached.*

Signature:	
Print Name:	
Date:	
Signature:	
Print Name:	
Date:	

The Declaration.

When you are ready to serve the petition, be sure to review the declaration which states that you are signing the document under penalty of perjury.

Sign and date the declaration if you feel you have accurately represented the information in your petition.



Questions?

Contact the Mountain View Housing Helpline

Project Sentinel | 1490 El Camino Real | Santa Clara, CA 95050

Direct: (650) 282-2514

ehislop@housing.org | www.housing.org

