



## Landlord Petition Filing Instructions

NOTA: SI USTED NO ENTIENDE ESTA PETICIÓN, NO TARDE EN COMUNICARSE CON EL PROGRAMA DE RENTA AL NÚMERO (510) 234-RENT [7368] PARA PEDIR UNA CITA Y RECIBIR UNA EXPLICACIÓN O TRADUCCIÓN.

<p><b>Overview</b></p>	<p>Under the Richmond Rent Ordinance, rents are regulated through an Annual General Adjustment (cost-of-living increase) <b>and</b> through individual rent adjustments (increases or decreases in rent) through a petition process. Landlords of a rent controlled unit may file an upward rent adjustment (rent increase) petition pursuant to Rent Board rent adjustment regulations. A Rent Board Hearing Examiner may order a rent increase where a Landlord seeks a fair return on investment in terms of maintaining net operating income, an increase in the number of tenants or services and where Annual General Adjustments had been deferred.</p>
<p><b>Step 1:</b> Contact a Rent Program Services Analyst to discuss your case and learn about your rights under the Rent Ordinance and Rent Regulations</p>	<p>Landlords should consult with a Rent Program Services Analyst at (510) 234-RENT [7368] prior to filing a petition to ensure correct filing and to understand how the rent adjustment petition process works. Landlords can access the Rent Adjustment Regulations at the following link: <a href="http://www.ci.richmond.ca.us/3476/Laws-and-Regulations">http://www.ci.richmond.ca.us/3476/Laws-and-Regulations</a>. Rent Program Services Analysts are available <u>Monday to Friday (9:00 a.m. - noon and 1:00 p.m. - 4:00 p.m.)</u> for assistance with filing petitions.</p>
<p><b>Step 2:</b> Complete the form called “Landlord Petition for Individual Rent Adjustment”</p> <p><b>Step 3:</b> Complete the appropriate “Attachment(s)” that list the grounds for the individual rent adjustment petition</p>	<p>The main petition, <b>Landlord Petition for Individual Rent Adjustment</b> must be filled for the petition to be deemed complete. This main petition can be downloaded at <a href="https://www.ci.richmond.ca.us/3631/Petition-Forms">https://www.ci.richmond.ca.us/3631/Petition-Forms</a>.</p> <p>Landlords can petition for individual rent adjustments at the same time (For example: Maintenance of Net Operating Income, Increased Services and Deferred Annual General Adjustments).</p> <p><b>Attachments</b> to the <b>Landlord Petition for Individual Rent Adjustment</b> form:</p> <ol style="list-style-type: none"> <li>1. Maintenance of Net Operating Income (MNOI) - <i>Capital Improvement Expenses included in Operating Expenses</i> (use <b>Attachment A</b>);</li> <li>2. Increase in Number of Occupants (use <b>Attachment B</b>);</li> <li>3. Change in Space or Services (use <b>Attachment C</b>);</li> <li>4. Restoration of Annual General Adjustments - AGAs (use <b>Attachment D</b>).</li> </ol>

	5. Increase in Security Deposit Due to Addition of Pet(s) (use <b>Attachment E</b> ).
<b>Step 4:</b> Include your documentation or evidence to support rent increase claim	When filing a petition, Landlords should submit letters, e-mails, texts, photos, receipts, expenses, and other documentation to support the grounds for the rent increase. Remember that the Hearing Examiner's rent adjustment decision is based on a preponderance (51% or more) of the evidence.
<b>Step 5:</b> Complete and submit a "Proof of Service" to the Rent Program	An important part of the petition process is the requirement that a Landlord must complete and submit a "Proof of Service" along with the completed petition packet (forms, attachments and documentation). When submitting a Proof of Service, the Landlord is declaring under penalty of perjury that they will serve a copy of the petition that was submitted to the Rent Program to the other party (the Tenant).
What happens next: after the Tenant has submitted the petition with the Rent Program?	A petition can be deemed incomplete or unacceptable within five (5) days of it being filed. If the petition is not promptly corrected, the file may be closed. The Tenant will be sent a Notice of Right to Object to an accepted petition which will be due within twenty-one (21) days. The assigned Hearing Examiner will either schedule a hearing or issue an administrative decision based on what was filed. Continuances of a hearing date must be requested in writing no less than 48 hours prior to the hearing. After a decision is made, it can be appealed by the Landlord or Tenant within 30 days (or 35 days if mailed) of the decision and no less than 14 days prior to the next Rent Board Action meeting.