



## Petition to Determine Exempt Status

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.

### **General Information**

#### Information for Filing a Petition to Determine Exempt Status of a Rental Unit

From time to time, a property owner may wish to determine if their Rental Unit is either partially exempt from the Richmond Rent Ordinance with respect to Rent Control or fully exempt from Just Cause for Eviction. (Richmond Municipal Code 11.100.050 and Richmond Rent Board Regulation, Chapter 2 Sections 201-202). Landlords of rental units in the City of Richmond must enroll in the Richmond Rent Program and pay the annual Rental Housing Fee.

### **Claim of Exemption**

A landlord who believes a rental unit is partially or fully exempt may request an administrative determination of exemption. A landlord whose exemption claim is administratively denied can challenge the administrative determination by filing this Petition to Determine Exempt Status no more than thirty (30) days after the administrative decision is communicated.

A hearing will be scheduled no more than ten (10) days after receipt of the Petition for a date as soon as possible within the Hearing Unit calendar. A request to continue or reschedule the hearing dated no less than five (5) calendar days prior to the hearing may be granted upon a showing of good cause.

Richmond Rent Program Services Analysts are available to answer questions about the petition process, in person or by telephone at (510) 234-RENT [7368], Monday – Friday from 9:00 a.m. to noon and 1:00 p.m. to 4:00 p.m.

### **Filing a Petition**

Please provide the following information for each Rental Unit for which an exemption is claimed:

1. A completed petition by an owner of record or agent;
2. A proof of service as to how a copy of the petition was provided to the tenant(s);  
and
3. Any other document that supports your claim of exemption.

A completed proof of service is required each time documents related to the petition are filed and served on the other parties.

### **After the Petition is Filed**

A hearing on the petition will be scheduled before a Hearing Examiner. Notice of the time, date, and place of the hearing, and information about the hearing process, will be mailed to all parties no later than ten (10) days before the scheduled date of the hearing. All parties will be allowed to present testimony and documents to support or oppose the petition.

After the hearing, the Hearing Examiner will issue a written decision, a copy of which will be mailed to the parties. The Hearing Examiner's decision can be timely appealed to the Richmond Rent Board if received within 35 days of the decision.



### Petition to Determine Exempt Status of a Rental Unit

Property Address: \_\_\_\_\_ Unit: \_\_\_\_\_

Interpretation will be needed in the following language (Spanish or Other \_\_\_\_\_).

A. Total number of residential units on the property: \_\_\_\_\_.

B. Number of residential units on the property that are partially or fully exempt: \_\_\_\_\_.

**C. Grounds for Petition:**

The rental unit(s) listed in **B** above is/are partially or fully exempt from the Richmond Fair, Just Cause for Eviction & Homeowner Protection Ordinance because (**check all grounds that apply and, where required, list all applicable units**):

Fully Exempt Claims

- The property is a Single Family Home with an added Small Second Dwelling Unit, with permits, and the first unit is owner-occupied;
- The Tenant and Landlord share a kitchen and/or bath and the property is the Landlord's primary residence;
- The Rental Unit is a in a hotel, motel, inn, tourist home, rooming & boarding house that is rented primarily to transient guests for fewer than 14 days;
- The Rental Unit is in a hospital, convent, monastery, extended medical care facility, asylum, or non-profit home for the aged, or it is a dormitory owned and operated by an accredited institution of higher education; or
- The Rental Unit is a Temporary Tenancy which applies only to single-family homes and condominiums for a maximum period of up to twelve (12) months. The Landlord and Tenant must agree to the Temporary Tenancy at the start of the lease, and such an agreement may not be renewed.

Partially Exempt Claims

- The property is a Single Family Home;
- The property is a Condominium;
- The Subsidized Unit has a Section 8 Tenant, Shelter Plus Care occupant, it qualified for Low-Income Housing Tax Credits, it is Richmond Housing Authority owned/operated, the Landlord accepted a Housing Choice Voucher and/or it qualified as a Section 202 property designated for older adult
- The property qualifies as New Construction, built after February 1, 1995, with permits & a Certificate of Occupancy.

<p>Staff Use Only:</p> <p>Petition No. RC_____</p>
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Please provide the current addresses (business or residence) and contact information for all owners:

<p><b>Landlord #1 Information</b></p>	<p>Name: _____ Phone:(_____)_____</p> <p>Business Address:_____</p> <p>City, State, Zip: _____</p> <p>Business. E-mail_____</p>
<p><b>Landlord #2 Information</b></p>	<p>Name: _____ Phone:(_____)_____</p> <p>Business Address:_____</p> <p>City, State, Zip: _____</p> <p>Business. E-mail:_____</p>

<p><b>Agent Information (if applicable)</b></p>	<p>Name: _____ Phone: (_____)_____</p> <p>Business Address:_____</p> <p>City, State, Zip: _____</p> <p>Business. E-mail:_____</p>
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Units & Tenants/Occupants Covered by this request:

Unit #:	Tenants/Occupants

Additional information in support of your exemption claim (attach additional pages, if necessary):

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

**Declaration:**

I declare, under penalty of perjury under the laws of the State of California, that the information in this Petition, including any attachments, is true and correct to the best of my knowledge and belief.

Owners

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**PLEASE PROVIDE A COPY OF ANY SUPPORTING DOCUMENTATION FOR THIS PETITION.**

**SPECIAL PROOF OF SERVICE<sup>1</sup>**

I am a resident of \_\_\_\_\_ County and was, at the time of service, over age eighteen. On \_\_\_\_\_ (date), I served ONE copy of the **Petition to Determine Exempt Status of a Rental Unit.**

**DELIVERING** \_\_\_\_\_ in person to the following individual: ***[print name of tenant(s) and/or tenant's representative:]***

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

**PLACING** \_\_\_\_\_ enclosed in a sealed envelope with first-class postage fully paid, into a U.S. Postal Service mailbox, addressed as follows: ***[print name of tenant(s) and/or tenant's representative and address as shown on Envelope:]***

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

**EMAILING** \_\_\_\_\_ [print name of tenant(s) and/or tenant's representative] Provide any/all EMAIL ADDRESS(ES):

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

**I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup> This Special Proof of Service form has been created by the Richmond Rent Program solely for use during and in response to the COVID-19 pandemic.