



## TENANT PETITION FOR RENT WITHHOLDING FOR FAILURE TO PAY THE RENT PROGRAM RESIDENTIAL RENTAL HOUSING FEE

### **GENERAL INFORMATION & INSTRUCTIONS**

The Richmond Rent Program and Rent Board Regulations require Landlords of Rental Units in the City of Richmond to pay the Residential Rental Housing Fee.

A Tenant, who resides on a property that is subject to the Richmond Rent Ordinance, may file a Petition for Authorization to Withhold Rent if the Landlord of the rental property they reside in has failed to pay the Residential Rental Housing Fee. Where non-payment of the Residential Rental Housing Fee implicates the exempt status of a rental property, the filing a Petition for Authorization to Withhold Rent shall trigger an investigation into the applicability and or exempt status of the rental property in question. An investigation in the status of the property may lead to an Administrative Determination of Exempt Status or Applicability, implicating whether the Residential Rental Housing Fee is owed. Rent Program Services Analysts are available to answer questions about the petition process by telephone at (510) 234-RENT [7368], Monday – Friday, 9:00 a.m. – 12:00 p.m. and 1:00 p.m. - 4:00 p.m.

### **PETITION REQUESTING THE WITHHOLDING OF RENT**

To request authorization to withhold rent, you must mail or email the following items to the Richmond Rent Program address (below) or email to [rent@ci.richmond.ca.us](mailto:rent@ci.richmond.ca.us):

1. A completed petition signed by all petitioning tenants;
2. A Proof of Service stating that the landlord was served a copy of the petition and any documentation either by first-class mail or in person.

Note: A completed Proof of Service is required each time petition documents are filed and served on all other parties.

### **AFTER A PETITION IS FILED**

Rent Board staff members will investigate the allegations in the petition to determine if withholding rent may be an option. All parties will be informed of any investigative findings. If registration status can be determined from Rent Board records, a tentative decision may be issued. If relevant facts are in dispute, a hearing will be scheduled before a Hearing Examiner. Notice of the time, date and place of hearing, and information about the hearing process, will be mailed to all parties no later than ten days before the scheduled date of the hearing. All parties will have an opportunity to be heard.

In the event of a hearing, the Hearing Examiner will issue a written decision and a copy will be mailed to the parties. If it is determined that the rental property is not in compliance with the Richmond Rent Ordinance for failure to pay the Residential Rental Housing Fee and the landlord does pay the Fee within the time allowed, the Tenant will be authorized to withhold future rent until the Residential Rental Housing Fee is paid.

# TENANT PETITION FOR RENT WITHHOLDING FOR FAILURE TO PAY THE RENT PROGRAM RESIDENTIAL RENTAL HOUSING FEE

*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.*

**1. Property Address:** \_\_\_\_\_

Richmond, CA Zip Code: \_\_\_\_\_

Before submitting this petition, please contact the Richmond Rent Program to determine if your rental unit is covered by the Rent Ordinance. The Rent Program can be contacted at (510) 234 RENT [7368] during business hours between 9:00 a.m. – 12:00 p.m. and 1:00 p.m. – 4:00 p.m.

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

**2. Tenant Information (required):**

Name (Print)	Unit #	Daytime Phone & E-mail Address	Move-in Date	Amount Paid for Rent	Date Rent Last Paid
				\$	
				\$	
				\$	
				\$	

Mailing Address: (If different from the property address & unit): \_\_\_\_\_

**NOTE: Your mailing address and any subsequent changes of address will be part of the official record of the case and a matter of public record.**

**3. Landlord:** List the property owner(s), property manager(s) and the person to whom you pay your rent, if different.

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_

Business Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_

Business Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_

Business Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

**4. Representative:** Person or organization authorized to represent you, if any:

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_

Business Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

**5. Grounds:** I/we request authorization to withhold rent because:  
*(Check all applicable grounds)*

A. Non-Exempt/Applicability Status: The Landlord owes Residential Rental Housing Fee(s) due to erroneously claiming that one or more Rental Units are exempt from the Rent Ordinance or that the Rent Ordinance does not apply to the property or Rental Unit (e.g. Landlord claims that the property is Owner-Occupied, Rent-Free or Not Available for Rent or is not a Residential Rental Unit). Specify the Rental Unit(s) and the reason you believe it is not exempt from the Rent Ordinance or why the Rent Ordinance should apply to the Rental Unit in question \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Rental Housing Fees: The landlord has not paid Residential Rental Housing fees and/or penalties for the following year(s) for the following unit(s):  
\_\_\_\_\_  
\_\_\_\_\_

6. **Additional Facts:** Please state below any additional facts that demonstrate that the Landlord has failed to pay the Residential Rental Housing Fee or is subject to the Residential Rental Housing Fee. Please attach a separate sheet, if needed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. **Certification:** I declare under penalty of perjury of the laws of the State of California that the information in this petition and any attachments is true and correct to the best of my knowledge and belief.

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

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

**NOTE: All signatures must be original and all petitioning tenants must sign the Certification.**

**PROOF OF SERVICE**

I am a resident of \_\_\_\_\_ County and was, at the time of service, over age eighteen. On \_\_\_\_\_ (date), I served ONE copy of the Tenant Petition for Rent Withholding for Failure to Pay the Rent Program Residential Rental Housing Fee

by: (CHECK APPROPRIATE BOX): By: (check  appropriate box):

**DELIVERING** \_\_\_\_\_ in person to the following individual: ***[print name of Landlord(s) and/or Property Management Information:]***

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

**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 Landlord(s) and/or Property Management Information and address as shown on Envelope:]***

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

**EMAILING** \_\_\_\_\_ ***[print name of Landlord(s) and/or Property Management Information and EMAIL ADDRESS:]***

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

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

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

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