



# San Francisco Residential Rent Stabilization and Arbitration Board

A landlord who served a notice to vacate on or after January 1, 2018 pursuant to Rent Ordinance Section 37.9(a)(8) (owner or relative move-in) must complete a Statement of Occupancy and file it with the Rent Board within 90 days after the date the notice to vacate was served on the tenant, and shall file an updated Statement of Occupancy every 90 days thereafter; provided, however, if the Statement of Occupancy discloses that the landlord has recovered possession of the unit (i.e. the tenant(s) moved out), the landlord shall then be required to file updated Statements of Occupancy once a year for five years, no later than 12 months, 24 months, 36 months, 48 months and 60 months after the date the landlord recovered possession of the unit.

Rent Board Date Stamp

## STATEMENT OF OCCUPANCY FOLLOWING SERVICE OF OWNER OR RELATIVE MOVE-IN EVICTION NOTICE [Pursuant to Rent Ordinance §37.9(a)(8)(vii); Rules And Regulations §12.14(f)]

### ↓ Rental Unit Information ↓

\_\_\_\_\_ San Francisco, CA 941 \_\_\_\_\_  
(Street Number of Unit) (Street Name) (Unit Number) (Zip Code)  
\_\_\_\_\_  
(Full Property Address) (Name of Building Complex, if applicable) (# of Units in Building)

### ↓ Owner Information ↓

Owner's Name: \_\_\_\_\_  
(First) (Middle Initial) (Last)  
Owner's Mailing Address: \_\_\_\_\_  
(Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)  
Primary Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_  
Fax Number: \_\_\_\_\_ Email: \_\_\_\_\_

### ↓ Declaration ↓

**I declare under penalty of perjury under the laws of the State of California that every statement in this Statement of Occupancy and every attached document is true and correct to the best of my knowledge and belief. I also acknowledge that the Rent Board will make all reasonable efforts to send a copy of this Statement of Occupancy to the tenant(s) within 30 days of filing, and if it's not filed by the due date, the Rent Board will make all reasonable efforts to send the tenant(s) a notice that it wasn't timely filed.**

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

*NOTE: Any landlord who fails to timely file a completed Statement of Occupancy with the supporting documentation required by Rules and Regulations §12.14(f)(4) (if applicable) will be subject to an administrative penalty in the following amounts: \$250 for the first violation, \$500 for the second violation, and \$1000 for every subsequent violation. See Rules and Regulations §12.14(f)(6) for more information. In addition, the Rent Board is required to send to the District Attorney a random sample of 10% of all Statements of Occupancy each month, as well as a list of units for which the required Statement of Occupancy was not filed with the Rent Board. In cases where the District Attorney determines that Ordinance Section 37.9(a)(8) has been violated, the District Attorney shall take whatever action he or she deems appropriate under the Rent Ordinance or state law.*

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## ↓ Landlord Has Not Recovered Possession of the Unit ↓

### ATTACH FORM A – STATEMENT OF OCCUPANCY if the following statement applies:

I am filing a Statement of Occupancy because I served the tenant(s) with a notice to vacate based on an owner or relative move-in pursuant to Ordinance §37.9(a)(8), and I have not recovered possession of the unit.

The notice to vacate was served on: \_\_\_\_\_.

Please check one of the following:

- I am filing this first Statement of Occupancy within 90 days of the date of service of the notice to vacate on the tenant(s).  I missed the filing deadline.
- I am filing an updated Statement of Occupancy because it has been 80-90 days since I filed a prior Statement of Occupancy and I still have not recovered possession of the unit.  I missed the filing deadline.
- I am no longer endeavoring to recover possession of the unit, the tenant(s) did not move out, I notified the tenant(s) in writing that the notice to vacate has been rescinded AND the Rent Board has granted my Request for Rescission of the Owner Move-In Eviction Notice.

## ↓ Landlord Has Recovered Possession and the Owner or Relative is Occupying the Unit ↓

### ATTACH FORM B – STATEMENT OF OCCUPANCY if the following statement applies:

I am filing a Statement of Occupancy because I served the tenant(s) with a notice to vacate based on an owner or relative move-in pursuant to Ordinance §37.9(a)(8), I have recovered possession of the unit, and the owner or relative for whom the tenant(s) was evicted is currently occupying the unit as that person's principal residence.

The notice to vacate was served on \_\_\_\_\_ . I recovered possession on: \_\_\_\_\_ .

Please check one of the following:

- I am filing this Statement of Occupancy within  90 days of the date of service of the notice to vacate on the tenant(s) or  within 80-90 days since I filed a prior Statement of Occupancy.  I missed the filing deadline.
- I am filing this annual Statement of Occupancy no later than (check one):  12 months  24 months  36 months  48 months or  60 months AFTER the date the tenant(s) moved out.  
 I missed the filing deadline for this year's annual Statement of Occupancy.

## ↓ Landlord Has Recovered Possession and the Owner or Relative is NOT Occupying the Unit ↓

### ATTACH FORM C – STATEMENT OF OCCUPANCY if the following statement applies:

I am filing a Statement of Occupancy because I served the tenant(s) with a notice to vacate based on an owner or relative move-in pursuant to Ordinance §37.9(a)(8), I have recovered possession of the unit, and the owner or relative for whom the tenant(s) was evicted is NOT occupying the unit as that person's principal residence.

The notice to vacate was served on \_\_\_\_\_ . I recovered possession on: \_\_\_\_\_ .

Please check one of the following:

- I am filing this Statement of Occupancy within  90 days of the date of service of the notice to vacate on the tenant(s) or  within 80-90 days since I filed a prior Statement of Occupancy.  I missed the filing deadline.
- I am filing this annual Statement of Occupancy no later than (check one):  12 months  24 months  36 months  48 months  60 months AFTER the date the tenant(s) moved out.  
 I missed the filing deadline for this year's annual Statement of Occupancy.

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## FORM A – STATEMENT OF OCCUPANCY

Use this form if you have not yet recovered possession of the tenant's rental unit.

Please complete the information requested below. DO NOT LEAVE ANY BLANKS. Failure to provide all of the requested information may subject the owner to administrative penalties.

1. Have you recovered possession of the unit?

Yes (STOP! You must complete FORM B or FORM C.)  No

2. Are you still pursuing the eviction of the tenant?

Yes (Skip to question 3.)  No

If NO,

(a) Have you notified the tenant in writing that the notice to vacate has been rescinded?

Yes. (Please attach a copy of the written notice to the tenant that rescinds the notice to vacate.)  
 No

(b) Has the Rent Board granted your written Request for Rescission of the Owner Move-in Eviction Notice?

Yes. (Please attach a copy of the Rent Board's Order granting the Request for Rescission. Since your Request for Rescission was granted, you do not need to complete the rest of this Form A and you are not required to file any subsequent Statements of Occupancy. However, you must timely file this Statement of Occupancy with the Rent Board.)  
 No

(c) Does any tenant who was served with the notice to vacate still occupy the unit after written rescission of the notice to vacate and/or rescission by the Rent Board of the recorded Notice of Constraints?

Yes. (Please provide the name(s) and contact information of the tenant(s) in occupancy and attach proof of the most recent rental payment received from the tenant(s) and proof that the owner has deposited or cashed it.)  
 No

\_\_\_\_\_  
(Name of Tenant)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Email Address)

\_\_\_\_\_  
(Name of Tenant)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Email Address)

\_\_\_\_\_  
(Name of Tenant)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Email Address)

**Please attach an additional sheet of paper if needed in order to include all tenants currently occupying the unit.**

3. Have you filed an Unlawful Detainer action against the tenant to recover possession of the unit?

Yes. Date filed: \_\_\_\_\_  No

4. The current rent for the unit is: \_\_\_\_\_

5. List the full name(s) of all persons currently holding a full or partial percentage ownership in the property, the percentage of ownership interest, and the date that the current percentage of ownership interest was recorded.

\_\_\_\_\_  
(Name of Owner)

\_\_\_\_\_  
(Current Percentage of Ownership)

\_\_\_\_\_  
(Date Current Ownership Interest Was Recorded)

\_\_\_\_\_  
(Name of Owner)

\_\_\_\_\_  
(Current Percentage of Ownership)

\_\_\_\_\_  
(Date Current Ownership Interest Was Recorded)

\_\_\_\_\_  
(Name of Owner)

\_\_\_\_\_  
(Current Percentage of Ownership)

\_\_\_\_\_  
(Date Current Ownership Interest Was Recorded)

**Please attach an additional sheet of paper if needed in order to include all persons with an ownership interest in the property.**

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6. The owner is endeavoring to recover possession of the rental unit for use as the principal residence of the following person(s): (Check one of the following)

Owner(s) \_\_\_\_\_  
(Name of Owner) (Name of Owner)

Relative(s) \_\_\_\_\_  
(Name of Relative) (Relationship to Owner)

7. Provide a description (e.g. address, size of building, number of bedrooms and bathrooms) of the current residence of the owner or relative for whom possession of the unit is being sought.

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8. Explain why the owner or relative is moving from his/her current residence to the subject unit.

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9. Provide a description of all residential properties owned in whole or in part, by the owner and, if applicable, a description of all residential properties owned, in whole or in part, by the owner's relative for whom possession of the unit is being sought.

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10. Have you served a notice to vacate pursuant to Ordinance Section 37.9(a)(8)(i) for a different rental unit based on an owner move-in eviction?

Yes. Date of service of the notice to vacate: \_\_\_\_\_

Address of the unit: \_\_\_\_\_  
(Street No.) (Street Name) (City & State) (Zip Code)

No

11. Have you recovered possession of any other rental unit in the same building as the subject rental unit subsequent to the service of the owner or relative move-in eviction notice?

Yes. Date of service of the notice to vacate, if applicable: \_\_\_\_\_

Address of the unit: \_\_\_\_\_  
(Street No.) (Street Name) (City & State) (Zip Code)

No