



Checklist for Filing

Landlord Petition for Extension of Time to Complete Capital Improvements

NOTE: Every item on this checklist must be completed and marked "YES" or your petition may be returned to you as incomplete or there may be a delay in scheduling your hearing.

- | | YES | NO | |
|----|--------------------------|--------------------------|--|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | Is there a copy of the petition for each tenant listed, as well as the original and one copy for the Rent Board? |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | Have you completed Form I (Landlord Petition for Arbitration)? |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | Have you included copies of all necessary Building and Planning Department permits , showing the date approval was granted? |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | Have you included a written breakdown (e.g. contractor's) of the proposed work, detailing <u>where</u> the work will be done and the <u>cost</u> for major items? |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | Have you provided an estimate of the time needed to accomplish the work, including the date work will begin and when you expect it to be completed? Have you listed the length of vacancy and approximate date each involved tenant may reoccupy? |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | If you are filing this petition because (a) the work has begun and it is apparent the tenant(s) will need to vacate longer than three months, or (b) a Petition for Extension of Time has already been filed and decided by the Rent Board and it is apparent that the work will take longer than the time approved in the Decision, have you provided a detailed statement of why the work will take longer than originally anticipated? |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | Have you provided a forwarding address for each tenant listed on the petition? |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | For each tenant subject to the petition, have you provided:
Three business-size envelopes, pre-addressed to each tenant, with NO return address, with postage as follows: (1) one of the envelopes will be used to mail the Notice of Hearing to the tenants and must have first class postage for one ounce; (2) one must have sufficient postage for mailing the petition plus one additional page of instructions from the Rent Board; and, (3) one must have first class postage for two ounces for mailing the decision to the tenants. |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | For each landlord and landlord representative, have you provided:
Two business-size envelopes, pre-addressed to each landlord party, with NO return address, with postage as follows: (1) one of the envelopes will be used to mail the Notice of Hearing and must have first class postage for one ounce; and, (2) one must have first class postage for two ounces for mailing the decision. |

Signed: _____
Landlord Petitioner/Agent (Circle One)

Dated: _____

Residential Rent Stabilization and Arbitration Board City and County of San Francisco

INSTRUCTIONS FOR FILING PETITION FOR EXTENSION OF TIME

1. Under the “just cause” eviction provisions of the Rent Ordinance [Section 37.9(a)(11)], a landlord may temporarily remove a rental unit from housing use in order to be able to carry out capital improvements or rehabilitation work, provided that the landlord seeks to recover possession of the unit in good faith, without ulterior reasons and with honest intent, and the premises will be hazardous, unhealthy and/or uninhabitable while the work is in progress. The landlord must obtain all the necessary permits on or before the date upon which the notice to vacate is given.
2. Any tenant who vacates the unit under such circumstances shall have the right to reoccupy the unit at the prior rent adjusted in accordance with the Rent Ordinance. The tenant will vacate the unit only for the minimum time required to do the work, not to exceed three months, unless the time period is extended by the Rent Board pursuant to a landlord’s Petition for Extension of Time to Complete Capital Improvements. A hearing will be scheduled on the landlord’s petition to determine the reasonableness of the landlord’s estimated time to complete the work. It is helpful if the contractor or other project manager appears as a witness at the hearing.
3. (a) If, before giving the notice to vacate to the tenant(s), the landlord knows or should know that the work will require the removal of the tenant(s) for more than three months, the landlord must file a Petition for Extension of Time before giving the notice to vacate to the tenant(s).
(b) If, after the notice to vacate has been given or after the work has commenced, it becomes apparent that the work will take longer than three months, the landlord must immediately file a Petition for Extension of Time along with a statement explaining why the work will take more time than originally anticipated.
(c) If a Petition for Extension of Time has already been filed and decided by the Rent Board and it becomes apparent that the work will take longer than the time approved in the Decision, the landlord must immediately file a Petition for Extension of Time along with a statement explaining why the work will take more time than originally approved.
4. Any authorized occupant of a rental unit, regardless of age, who has resided in the unit for 12 or more months shall be entitled to receive relocation expenses from the landlord, in the amounts specified in Ordinance Section 37.9C(e).
5. A landlord’s petition for extension of time to complete capital improvements must include the following:
 - (a) Landlord Petition for Arbitration, FORM I (two pages);
 - (b) *Legible* copies of **all necessary** Building and Planning Department permits, including electrical and plumbing permits if applicable, showing the date approval was granted;
 - (c) A written breakdown of the proposed work, detailing where the work will be done and the cost for major items;
 - (d) A detailed statement of why the work will take longer than originally anticipated (per paragraph 3(b) or (c) above).
6. The petition must be completely filled out and signed by the landlord or the landlord’s authorized agent. **The Rent Board staff is not permitted to complete or fill in the petition for you.**
7. The landlord must submit a copy of the completed petition for each tenant listed in the petition, plus the original and one copy for the Rent Board. The landlord must also submit copies of all relevant documents (permits, contract proposals, written breakdown of the proposed work, etc.) for mailing to each tenant. At the hearing, the landlord must be prepared to clearly describe and explain all proposed work and to establish what is a reasonable length of time to perform the work.
8. The landlord must submit 3 business-size envelopes, pre-addressed to each tenant, with NO return address, with postage as follows: (1) one of the envelopes will be used to mail the Notice of Hearing to the tenants and must have first class postage for one ounce; (2) one must have sufficient postage for mailing the petition plus one additional page of instructions from the Rent Board; and, (3) one must have first class postage for two ounces for mailing the decision to the tenants. The landlord must also submit 2 business-size envelopes, pre-addressed to each landlord party, with NO return address, with postage as follows: (1) one of the envelopes will be used to mail the Notice of Hearing and must have first class postage for one ounce; and, (2) one must have first class postage for two ounces for mailing the decision.
9. A petition will not be accepted for filing unless you have fully complied with the above. **FAILURE TO SUBMIT ADEQUATE DOCUMENTATION MAY RESULT IN EITHER THE DISMISSAL OR DENIAL OF THE PETITION.**

Residential Rent Stabilization & Arbitration Board
City & County of San Francisco
FORM I

LANDLORD PETITION FOR EXTENSION OF TIME TO COMPLETE CAPITAL IMPROVEMENTS

(Please Print)

Full Property Address: _____ San Francisco, CA 941 _____

Owner's Name: _____ Owned since: _____
(First) (Middle Initial) (Last)

Owner's Mailing Address: _____
(Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Work Phone: _____ Home Phone: _____ Other Phone: _____

Fax #: _____ E-mail: _____

Is an agent and/or property manager authorized to represent the landlord's interest in this petition? Yes No

If yes, check the appropriate box and **attach written authorization**: Agent Property Manager

Agent/Manager's Name: _____ **Work Phone:** _____

Agent/Manager's Mailing Address: _____
(Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Fax #: _____ E-mail: _____

Does the landlord have an attorney representative for this petition? Yes No

Attorney's Name: _____ **Work Phone:** _____

Attorney's Mailing Address: _____
(Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Fax #: _____ E-mail: _____

Notice of hearing and decision to be mailed to [check appropriate box(es)]: Owner Agent/Manager Attorney

Has a previous petition or eviction report been filed with the Rent Board concerning this property? Yes No

If yes, list the CASE NO(S): _____ and/or DATE(s): _____

Year built: _____ # of units in the building: Residential _____ Commercial _____ Total _____

The total number of units that will be asked to vacate for the work is: _____. (List units and tenants on next page.)

I am filing a petition for an extension of time to complete capital improvements because [check appropriate box]:

- The work has **NOT** yet begun; the tenants will need to be out more than 90 days.
- The notice to vacate has been given or the work has begun; it has become apparent the tenant(s) will need to vacate longer than 90 days.
- A Petition for Extension of Time has already been filed and decided by the Rent Board and it is apparent that the work will take longer than the time approved in the Decision.

COMMENCEMENT date of work: _____ **Date work will be COMPLETED:** _____

TOTAL TIME needed to perform the work: _____

I declare under penalty of perjury under the laws of the State of California that this information and every attached document is true and correct to the best of my knowledge and belief.

Signature of owner or authorized agent (circle one)

Date

The following tenants are subject to this petition. Complete the information below for each involved tenant, including a forwarding address for **each** one. Also list any attorney or representative of such tenant(s) at the bottom of this page.

Tenant Information:

Name: _____ Unit #: _____
(First) (Middle Initial) (Last)

Forwarding Address: _____
(if different from unit address) (Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Work Phone*: _____ Home Phone*: _____ Other Phone*: _____

Length of Vacancy: Tenant's Move-out Date _____ Tenant Can Return On _____

Tenant Information:

Name: _____ Unit #: _____
(First) (Middle Initial) (Last)

Forwarding Address: _____
(if different from unit address) (Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Work Phone*: _____ Home Phone*: _____ Other Phone*: _____

Length of Vacancy: Tenant's Move-out Date _____ Tenant Can Return On _____

Tenant Information:

Name: _____ Unit #: _____
(First) (Middle Initial) (Last)

Forwarding Address: _____
(if different from unit address) (Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Work Phone*: _____ Home Phone*: _____ Other Phone*: _____

Length of Vacancy: Tenant's Move-out Date _____ Tenant Can Return On _____

Tenant Information:

Name: _____ Unit #: _____
(First) (Middle Initial) (Last)

Forwarding Address: _____
(if different from unit address) (Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Work Phone*: _____ Home Phone*: _____ Other Phone*: _____

Length of Vacancy: Tenant's Move-out Date _____ Tenant Can Return On _____

Attorney/Representative Information:

Attorney/Representative's Name: _____ Work Phone: _____

Attorney/Representative's Mailing Address: _____
(Street Number) (Street Name) (Apt./Suite Number) (City & State) (Zip Code)

Fax #: _____ E-mail: _____

* CAUTION: Phone numbers listed here are public information. Do not include numbers if confidentiality is a concern.