

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

**INSTRUCTIONS FOR FILING LANDLORD PETITIONS
BASED ON TENANT'S PAST RENT HISTORY
FOR PROPOSITION I AFFECTED UNITS**

1. A landlord's petition for rent increases based on the past rent history of Proposition I Affected Units must include all of the following:
 - (1) Landlord Petition for Arbitration for Proposition I Affected Units, FORM I;
 - (2) Rent History Summary for Proposition I Affected Units, FORM II;
 - (3) Proposed Monthly Rent Increases for Proposition I Affected Units, FORM III; and
 - (4) documentation supporting the requested increase(s).
2. You must submit a copy of your *completed petition* for each tenant whose rent you propose to increase, plus the original and one copy for the Rent Board. The Rent Board is NOT permitted to complete or fill in your petition.
3. For each tenant subject to the proposed passthrough, have you provided:
Three business-size envelopes, pre-addressed to each tenant, with NO return address with postage as noted below: One of the envelopes will be used to mail the Notice of Hearing to the tenants and must have first class postage affixed; one must have sufficient postage for mailing the petition and one must have first class postage for two (2) ounces for mailing the decision to the tenants.
4. 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:
One of the envelopes will be used to mail the Notice of Hearing and must have first class postage affixed; one must have first class postage for two (2) ounces for mailing the decision.
5. **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 ADMINISTRATIVE DISMISSAL OR THE DENIAL OF YOUR REQUESTED INCREASE(S).**

Please refer to Rules and Regulations 6.11(b) for specific requirements and eligibility for this type of rent increase. Copies of the Rules and Regulations are available at the Rent Board for a nominal charge.

NOTE: You are still required to send written notice 30 or 60 days in advance of the rent increase to a tenant *after* filing your petition with the Rent Board. Civil Code Section 827 now requires service of a sixty (60) day notice of rent increase if the increase, either by itself or combined with any other rent increase in the one year before the effective date, is more than 10%. If less than 10%, a thirty (30) day notice is required. If the rent increase notice is served by mail, the required notice period must be extended by an additional five days. Rent increases based on the tenant's past rent history may be imposed only on or after the tenant's rent increase anniversary date, which is 12 months since the tenant's last rent increase. **PRIOR TO OR AT THE HEARING, YOU MUST SUBMIT A COPY OF EACH RENT INCREASE NOTICE WHICH YOU SERVED ON THE TENANT(S) AFTER THIS PETITION WAS FILED.**

WARNING: PAST IMPROPER RENT INCREASES BY YOU OR A PREVIOUS OWNER OR OVERCHARGES DISCOVERED DURING THE HEARING PROCESS ARE SUBJECT TO REFUND. YOU SHOULD REVIEW PAST RENT INCREASES BEFORE YOU FILE YOUR PETITION.

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

FORM I

**LANDLORD PETITION FOR A RENT INCREASE
BASED ON TENANT'S PAST RENT HISTORY
FOR PROPOSITION I AFFECTED UNITS ONLY**

(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 Number: _____ E-mail: _____

Is an agent and/or property manager authorized to represent the landlord's interests in this petition? Yes No
If yes, check appropriate box and **attach written authorization**: Agent Property Manager

Agent's Name: _____ Work Phone: _____

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

Fax Number: _____ E-mail: _____

Property Manager's Name: _____ Work Phone: _____

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

Fax Number: _____ E-mail: _____

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

Has a previous petition or 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: _____ Number of units in the building: Residential _____ Commercial _____ Total _____

I am filing for a rent increase above the current annual rent increase permitted by the Rent Ordinance based on the past rent history of a Proposition I Affected Unit.

(CHECK APPROPRIATE REASON BELOW AND INDICATE APPLICABLE UNIT(S))

_____ I am entitled to a 7.2% rent increase because no rent increases were in effect between 5/2/91 and 5/1/94.

_____ I am entitled to an 11.2% rent increase because no rent increases were in effect between 5/2/90 and 5/1/94.

_____ I am entitled to a 15.2% rent increase because no rent increases were in effect between 5/2/89 and 5/1/94.

Intake Counselor _____

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FORM I, CONTINUED

The total number of units for which I am seeking a rent increase is: _____. The following tenants are subject to this petition:

<u>UNIT #</u>	<u>TENANT'S NAME</u>	<u>PHONE*</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

STATEMENT VERIFYING STATUS OF UNIT(S) AS PROPOSITION I AFFECTED UNIT(S)

Each rental unit for which I seek a rent increase pursuant to this Landlord Petition is a Proposition I Affected Unit, as defined in Rules and Regulations §1.16 for the reason checked below:

_____ The unit became subject to the Rent Ordinance on 12/22/94 as a result of the passage of Proposition I in November 1994. On 12/22/94, the unit was located in a building containing four Rental Units or less, and an owner who held in good faith at least a 50% recorded fee interest in the building had occupied the building as a principal place of residence for at least 6 continuous months.

OR

_____ The unit was subject to the Rent Ordinance on 12/22/94, but would have become exempt within a reasonable period of time thereafter if Proposition I had not passed at the November 1994 election because:

(CHECK THE APPROPRIATE LINE)

_____ (a) The landlord resided in the building prior to 11/9/94; or

_____ (b) The landlord initiated renovations on a unit in the same building prior to 11/9/94 for the purpose of residing in that unit, and at the conclusion of the renovations, the landlord resided in that unit; or

_____ (c) The landlord served an eviction notice pursuant to Ordinance Section 37.8(a)(8) prior to 11/9/94 and sometime thereafter, the landlord resided in the building; or

_____ (d) The landlord resided in the building and initiated renovations (with all necessary permits) prior to 11/9/94, which renovations were ordered by a governmental agency in order to reduce the total number of units in the building to four or less; or

_____ (e) The landlord did any of the above within three months of becoming owner of record of the unit if the landlord was not owner of record prior to 11/9/94, but had entered into an agreement to purchase the unit which agreement became non-contingent on or after 9/1/93 and prior to 11/9/94.

I declare under penalty of perjury that the information contained in this petition and every attached document is true and correct to the best of my knowledge and belief.

(Signature of owner or authorized agent) Dated: _____

FORM II

RENT HISTORY SUMMARY FOR PROPOSITION I AFFECTED UNITS

The initial base rent for all newly covered units shall be the rent that was in effect for the rental unit on May 1, 1994. If no rent was in effect for the newly covered unit on May 1, 1994, the initial base rent shall be the first rent in effect after that date. [Ordinance Section 37.12(a)]

(COMPLETE BOTH CHARTS ON THIS PAGE)

UNIT NO.	MOVE-IN DATE*	5/1/94 RENT**	WHEN WAS 5/1/94 RENT FIRST CHARGED?	IF VACANT ON 5/1/94, 1ST RENT AFTER 5/1/94		RENT INCREASE(S) BETWEEN 5/1/94 AND 12/21/94		12/21/94 RENT
				DATE	NEW RENT	DATE	NEW RENT	
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

* If the move-in date is on or after 5/1/94 and before 12/22/94, and there was a proper termination of the prior tenancy (i.e., the prior tenant(s) voluntarily vacated the unit, or vacated the unit as a result of an eviction that would have been permissible under Section 37.9 of the Rent Ordinance or vacated the unit as a result of an eviction notice served prior to May 1, 1994), the landlord was/is free to set a new Base Rent without limitation upon reletting the unit. For such units, list the move-in date and then list the initial rent charged for the new tenancy in the next column (5/1/94 RENT), skip the next two columns and start with RENT INCREASES BETWEEN 5/1/94 AND 12/21/94. If the tenancy commenced on or after 12/22/94, list the move-in date and then skip to the chart below and start with the first "NEXT RENT ADJUSTMENT" column.

** If vacant on 5/1/94, put "vacant" and skip the next column.

UNIT NO.	REPEAT 12/21/94 RENT	NEXT RENT ADJUSTMENT		NEXT RENT ADJUSTMENT		NEXT RENT ADJUSTMENT		CURRENT BASE RENT	
		DATE	NEW RENT	DATE	NEW RENT	DATE	NEW RENT	DATE	NEW RENT
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

*** Include all rent adjustments since 12/21/94. You may need to add an additional page.

FORM III

PROPOSED MONTHLY RENT INCREASES

1	2	3	4		5	6	7	8	9	10
Unit Number	Current Base Rent	Current <input type="checkbox"/> Utility <input type="checkbox"/> Bond Passthrough	Previous Cap. Imp. Currently in Effect		Current Total Rent (Columns 2+3+4)	Total Monthly Proposed Increase Based On Past Rent History	Proposed Annual Increase In \$ and %	Total Proposed Banked Increase In \$ and %	Total Proposed Increases (Columns 6+7+8)	Proposed Monthly Rent (Columns 5+9)
			AMOUNT	DATE						