

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

WATER REVENUE BOND PASSTHROUGH WORKSHEET (for multiple years)

Ordinance Section 37.3(a)(5)(B); Rules and Regulations Section 4.14

Use this form when calculating the Water Revenue Bond Passthrough for more than one calendar year.

Tenant's Name _____ Property Address _____

Landlord's Name _____ Phone _____ Date _____

Dear Tenant:

A landlord may pass through 50% of the water bill charges attributable to water rate increases resulting from the issuance of Water System Improvement Revenue Bonds authorized at the November 2002 election (Proposition A). Water bills prepared by the S.F. Public Utilities Commission commencing July 1, 2005 specify the water bill charges that are eligible for the passthrough. The eligible charges are only a portion of the landlord's total water bill.

Attached is the calculation of the Water Revenue Bond Passthrough for your unit. The monthly passthrough amount is based on the water revenue bond charges incurred for two or more previous calendar years. (A calendar year means January through December, not an alternate twelve-month period, though the landlord does not have to prorate water bills for service periods that fall into two different calendar years.) The landlord must not include charges incurred prior to commencement of your tenancy. If you moved in during the middle of a calendar year, the landlord may pass through the charges for the remainder of that calendar year, starting with the billing period following commencement of tenancy.

The Water Revenue Bond Passthrough for multiple years may be imposed only on your rent increase anniversary date. The passthrough does not become part of your base rent and must be discontinued after you have paid it for the number of months specified on Line 5 of the attached Worksheet (page 2). The landlord is required to refund any overcharges if the passthrough is not discontinued on time.

The amount on Line 6 of the attached Worksheet (page 2) is the monthly amount that the landlord can pass through to your unit after service of a written notice of rent increase pursuant to Civil Code §827. All pages of the Worksheet, including this page, must be attached to the notice of rent increase. The rent increase notice must specify the amount of the monthly Water Revenue Bond Passthrough. Please be advised that you are entitled to receive a copy of the applicable water bill(s) from the landlord upon request.

Tenant Financial Hardship: A tenant may file a Tenant Financial Hardship Application with the Rent Board to request relief from payment of the Water Revenue Bond Passthrough. A hardship application must be filed within one year of the effective date of the Water Revenue Bond Passthrough. Once a timely hardship application is filed, the tenant need not pay the passthrough unless the Rent Board issues a final decision denying the hardship application. However, if the hardship application is denied, the tenant will need to pay the Water Revenue Bond Passthrough retroactive to the effective date. Hardship applications are available from the Rent Board's office at 25 Van Ness Avenue, Suite 320, San Francisco, CA 94102 or visit the Rent Board's website at www.sfrb.org.

Tenant Challenge of Improper Water Revenue Bond Passthrough: Within one year of the effective date of a Water Revenue Bond Passthrough, a tenant may petition for an arbitration hearing on the following grounds:

- The landlord has not properly calculated the passthrough;
- The passthrough is calculated using an incorrect unit count;
- The landlord failed to provide a clear written explanation of the charges and the calculation of the passthrough;
- The unit is not in compliance with applicable laws requiring water conservation devices;
- The tenant requested a copy of the applicable water bills and the landlord has not provided them;
- The tenancy began during or after the billing periods included in the passthrough calculation;

If the landlord fails to discontinue the passthrough after it is fully paid, a tenant may file a petition on this basis at any time after the passthrough should have been discontinued; such petition is not subject to the one-year filing limitation. (Please note: A Water Revenue Bond Passthrough may remain in effect only for the same number of months covered by the water bills that were used to calculate the monthly passthrough amount.)

By service of this notice on the tenant, the landlord affirms that the tenant is eligible for the Water Revenue Bond Passthrough because the tenant's unit is in compliance with any applicable laws requiring water conservation devices, including but not limited to California Civil Code Section 1101.5 and San Francisco Housing Code Section 12A. _____

Landlord's Signature

WATER REVENUE BOND PASSTHROUGH WORKSHEET (for multiple years)

Use this form when calculating the Water Revenue Bond Passthrough for more than one calendar year.

List Each Bill Date	List The Service Period For Each Water Bill*		List Each Eligible Water Bill Charge**
	From _____ to _____	YEAR #1	\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____	YEAR #2	\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
	From _____ to _____		\$
Add all amounts listed above to get Total Eligible Charges: <i>If seeking a passthrough based on charges for more than two years, continue to list each bill date, service period and eligible water bill charges on a separate page, but list the total of all eligible charges for <u>all</u> years on Line 1.</i>			1 \$
Divide Line 1 by two to get 50% of Eligible Charges:			2 \$
List Total # of Residential & Commercial Units Covered by the Water Bills:			3
Divide Line 2 by Line 3:			4 \$
List Total # of Months Covered by the Water Bills included in Passthrough: <i>This is the number of months the landlord is allowed to collect the Monthly Passthrough.</i>			5
Divide Line 4 by Line 5 to get Monthly Passthrough Amount Per Unit:			6 \$

* The landlord must use calendar years to calculate the passthrough. A calendar year means *service periods* (not *bill dates*) from January through December, and not an alternate twelve-month period. It is not necessary to prorate water bills for service periods that fall into two different calendar years. The landlord can elect to include such bills in either calendar year, but cannot include the same bill in both years. The landlord must not include charges incurred prior to commencement of the tenancy. If the tenant moved in mid-year, the landlord must calculate the passthrough using only the bills beginning with the next service period after the tenancy commenced.

** If the tenant received a rent increase based on operating and maintenance expenses in which the same water bill charges were included in the comparison year cost totals, the landlord may not also impose a Water Revenue Bond Passthrough for that same period.