

City of Berkeley

Level Two – Administrative Hearing



If you are dissatisfied with the Administrative Review result, you may, within 21 days of the mailing date of the Administrative Review Decision, have an Administrative Hearing before a Hearing Examiner in person or by mail.

Note: Under California Vehicle Code section 40215(b), you must provide a deposit of the full amount of the parking penalty before having a hearing unless you fill out a Request to Waive Hearing Deposit, supported by your most recent Federal Tax filings or other acceptable documents as described on form. You may request a [Waiver of the Fee form](#) here or by calling 1-866-226-9288. Hearing deposits can be made by check or money order or in person with a check, money order, cash or Visa or MasterCard.

Request to Waive Hearing Deposit

- The Request to [Waive Hearing Deposit form](#) must be completed and returned with the request for in-person hearing before the due date on your Notice of Administrative Review Decision.
- Question 1 through 5 must be answered and the Request to Waive Hearing Deposit form signed under penalty of perjury on #7.
- You must provide evidence to support the household gross monthly income (\$37, 400 or less) with either a complete copy of income tax return, a Letter 4506-T from the Internal Revenue Services (IRS) stating you did not file taxes for the year, and/or Proof of Supplemental Security income, Social Security Assistance, Unemployment, Retirement, or Pension Fund payments.
- Your application and supporting documents will be reviewed to determine if you are eligible for a waiver of penalty of hearing deposit and you will received a written response to your request by mail before you appear for your pre-scheduled In-person hearing or by mail in the case of a hearing by mail.
- If your citation is not dismissed at the In-person hearing, or hearing by mail, payment will be due within 21 days from the date of the decision or the fine will increase.

In-Person Administrative Hearings

To schedule an In-Person hearing, please do the following:

- Detach the payment coupon from the Administrative Review Liable letter and check the box: **Hearing in person requested**
- Mail detached coupon with the full amount of the citation as required for the hearing deposit OR an approved waiver of deposit. (Check or Money Order)
- Mail items to:
 - City of Berkeley
 - Parking Citation Processing Center
 - P.O.Box 54017
 - Los Angeles, California 90054-0017
- The City of Berkeley will process your request and mail you a notice with the date & time of your in-person hearing.
- A customer does not get to choose the in-person hearing date. The dates for the hearing are chosen on a first come basis and only available by mail. (No phone request permitted)
- The hearings are usually scheduled three weeks after the request is received and will be within 90 days of the requests for hearing.
- All in-person hearings will be scheduled on Monday: 9:30 am to 12:30 pm and Wednesday: noon to 4 pm (in 15 minute intervals), excluding holidays.
- The person requesting the hearing must cancel or change the hearing appointment 48 hours before the date and time of the hearing by calling 1-866-226-9288
- A person may reschedule the hearing, one time, by calling 1-866-226-9288.
- The hearing schedule will be posted on the hearing room window at 1947 Center St, 1 day prior to the date of the hearing.
- If you have questions regarding your hearing please call 1-866-226-9288.

Follow these steps when submitting an Administrative Hearing:

- It is crucial to the success of your request for dismissal that at the time of your Administrative Hearing you submit all supporting evidence such as:
 - Photographs
 - Witness Statements
 - Any and all other documents in support of your appeal

All documentation submitted will be retained in the hearing file.

You will be notified of the Hearing Officer's determination at the end of the hearing or soon afterward by mail. (It is suggested that you retain the hearing decision as a receipt for your records.) If the Hearing Officer determines your citation should be dismissed your deposit will be refunded. If the Hearing Officer determines your citation will not be dismissed, the deposit paid with your hearing request will applied to your citation. If you do not agree with the decision you may request an appeal to Superior Court (see Step Three).

Administrative Hearings By Mail

A Hearing Examiner will review your Written Declaration and supporting evidence, accompanied by your check or money order for the full amount of the deposit, and a Hearing Decision will be mailed to you.

- Here also, it is crucial to the success of your request for dismissal that at the time you submit your Administrative Hearing by mail, you submit all evidence such as:
 - Photographs
 - Witness Statements
 - Any and all other documents in support of your appeal

All documentation submitted will be retained in the hearing file.

You will be notified by mail of the Hearing Officer's determination of your Hearing by Mail. If the Hearing Officer determines your citation should be dismissed, your deposit will be refunded. If the Hearing Officer determines your citation will not be dismissed, the deposit paid with your hearing request will be applied to your citation. If you do not agree with the decision you may request an appeal to Superior Court (see Level Three).