

CITY OF BERKELEY
RENT STABILIZATION BOARD
2125 Milvia Street, Berkeley, CA 94704
TEL: (510) 981-7368 (981-RENT) TDD: (510) 981-6903 FAX: (510) 981-4940
E-MAIL: rent@ci.berkeley.ca.us INTERNET: www.ci.berkeley.ca.us/rent/

October 11, 2012

NOTICE OF RIGHT TO OBJECT TO RENT INCREASE PETITION

(FOR PROPERTIES WITH NO VACANCY INCREASES – REGULATION 1282)

To the Tenant(s) of _____, Unit No. _____ Petition No. L- _____

Deadline to object: _____

Your landlord has filed a petition with the Rent Stabilization Board to request a 6% or \$_____ increase in the lawful rent ceiling for your rental unit. This would be divided into two increases of 3%, with the first starting no earlier than January 1, 2013, followed by another 3% increase one year later. If this increase is granted, your rent ceiling would go up to \$_____ and then one year later it would increase to \$_____, plus any annual general adjustment that the landlord is entitled to.

The owner may be eligible for this increase because, according to our records, none of the rental units at this address has received a “vacancy increase,” which allows the owner to raise the rent to the current market level for new tenancies that began on or after January 1, 1999, and all the units are rented to long-term rent-controlled tenants. (One unit may be owner-occupied rather than rented.) Enclosed is a copy of the new Regulation 1282 which allows such increases and a full explanation of the regulation.

Attached is a Tenant Objection Form that lists possible reasons for challenging the landlord's right to the rent increase. **IF YOU THINK ANY OF THESE REASONS MIGHT APPLY AND YOU WISH TO CHALLENGE SOME OR ALL OF THE INCREASE REQUESTED, YOU MUST RETURN THE TENANT OBJECTION FORM TO THE RENT STABILIZATION BOARD BY THE DEADLINE STATED ABOVE.**

If you respond, the Rent Board will hold a hearing on your landlord's petition. You and/or someone authorized to represent you may attend this hearing. If you do not return the Tenant Objection Form by the deadline, you may lose the opportunity to have your objections considered by the Rent Board or to challenge the landlord's eligibility for Annual General Adjustments.

REMEMBER: You have an absolute right to challenge the requested rent increase and to make sure that it is allowed under Berkeley's rent control laws. It is illegal for the landlord to retaliate against you in any way for exercising this right. The Public Information Unit at the Rent Board can assist you and provide additional information regarding the petition, Regulation 1282, the Objection Form, your rights and the hearing process. Counselors are available, in person or by telephone at the number listed above, Mondays, Tuesdays, Thursdays & Fridays from 9:00 a.m. to 4:45 p.m., and Wednesdays from noon to 6:30 p.m.

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TENANT OBJECTION FORM
(FOR PROPERTIES WITH NO VACANCY INCREASES – REGULATION 1282)

Address _____ Unit No. _____ Petition No. L- _____

Deadline to object: _____

Your landlord has filed a petition with the Rent Stabilization Board seeking to have the rent ceiling on your unit raised. If you wish to oppose this petition and have a hearing on your objections, you must complete this form and return it to the Rent Stabilization Board, 2125 Milvia Street, Berkeley, CA 94704, after providing your landlord with a copy (see and complete the **proof of service** on the last page). The Board must receive your completed objection form by the objection deadline or you will be deemed to have waived your right to a hearing on the petition.

IF YOU DO NOT RETURN THIS FORM BY THE DEADLINE, THE RENT BOARD MAY MAKE A DECISION ON THE LANDLORD'S PETITION WITHOUT HOLDING A HEARING, based on the information in the petition and the Board's files. A copy of the decision will be sent to you.

Hearing: If you check any of the grounds for objection and return this completed form to the Rent Stabilization Board office by the deadline, a hearing will be held on your landlord's petition and you will be able to present evidence to support your objection. Notice of the time, date and place of hearing will be mailed to all parties no later than ten days before the scheduled hearing date.

GROUND FOR OBJECTION

YOU MUST SPECIFY WHY YOUR LANDLORD IS NOT ENTITLED TO THE REQUESTED RENT CEILING INCREASES. THE POSSIBLE GROUNDS FOR OBJECTION ARE LISTED BELOW. YOU MUST CHECK EACH GROUND FOR OBJECTION THAT YOU BELIEVE IS APPLICABLE AND PROVIDE ANY INFORMATION REQUESTED. ATTACH ADDITIONAL SHEETS IF NECESSARY. THE HEARING WILL BE LIMITED TO THE OBJECTIONS STATED ON THIS FORM AND ANY ATTACHMENTS.

Objections to Rent Increase under Regulation 1282:

1. () One or more units on the property has a tenant who moved in after 1998 and the owner charged the tenant the market rent when they moved in. (Please give unit address/es):

2. () One or more units on the property is not registered with the Rent Board and the owner does not live in that unit. (Please give unit address/es):

3. () My unit has already received an increase under Regulation 1282.

General Objections:

1. () My rent is _____, which is more than the lawful rent ceiling.
2. () My unit is substantially deteriorated, fails to comply substantially with applicable state rental housing laws, local housing, building, health and safety codes, or lacks adequate housing services.

Was there a City inspection of the unit? Yes _____ Date _____ No _____

Describe the deterioration, code or habitability violation, or inadequate service(s).

3. () My unit has suffered a significant decrease in space or services since I moved in or the landlord is violating the rental agreement. Please explain:

CERTIFICATION: I declare under penalty of perjury under the laws of the State of California that the information in this response, including any attachments, is true and correct to the best of my knowledge and belief.

1. Signature _____ Date _____

Printed Name _____

2. Signature _____ Date _____

Printed Name _____

*****IMPORTANT*****

IF YOU OBJECT TO THE PETITION, YOU MUST PROVIDE A COPY OF YOUR OBJECTION FORM TO YOUR LANDLORD AND COMPLETE AND RETURN THIS PROOF OF SERVICE TO THE RENT BOARD WITH YOUR OBJECTION FORM. YOUR OBJECTIONS WILL NOT BE CONSIDERED UNLESS THIS PROOF OF SERVICE IS CORRECTLY COMPLETED.

PROOF OF SERVICE

I AM A RESIDENT OF _____ COUNTY AND WAS, AT THE TIME OF SERVICE, OVER AGE

EIGHTEEN. ON _____ (DATE), I SERVED ONE COPY OF THE TENANT OBJECTION FORM BY:

(CHECK APPROPRIATE BOX)

DELIVERING THE OBJECTION FORM IN PERSON TO THE FOLLOWING INDIVIDUAL:

[PRINT NAME OF LANDLORD OR LANDLORD'S REPRESENTATIVE:]

OR

PLACING THE OBJECTION FORM, ENCLOSED IN A SEALED ENVELOPE WITH FIRST-CLASS POSTAGE FULLY PAID, INTO A U.S. POSTAL SERVICE MAILBOX, ADDRESSED AS FOLLOWS:

[PRINT NAME AND ADDRESS OF LANDLORD OR LANDLORD'S REPRESENTATIVE AS SHOWN ON ENVELOPE:]

I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signature _____ Date _____

Printed Name _____