

Landlord Rent Petition Package

Purpose

This form is used to petition one-time increases in rent in excess of the Annual General Adjustment of 5%. Two reasons for such an increase are defined in the San José Municipal Code Section 17.23.320:

1. Making Specified Capital Improvements to the rental property which applies to only the listed improvements (See Schedule A of the Landlord Petition Package); or
2. Seeking a Fair Return based on the maintenance of net operating income (Schedule B).

Rental Property Information

Property Address: _____ San José, CA, Zip Code: _____

Apartment Complex Name (if applicable): _____

- Are any petitions for this property currently pending? Yes No Unknown
If yes, how many pending petitions: _____
- Total number of residential units on property: _____
(Including exempt and owner-occupied units)

For all units for which increases are requested, list the unit designations, the names of all Tenants in the unit, the beginning date of the tenancy, and the current rent being charged for each unit in the spaces provided on Schedule A. or B.1 as appropriate.

Landlord and/or Manager Information

Landlord First Name: _____ Landlord Last Name: _____

Email: _____ Phone: _____

Mailing Address (if different from the unit address): _____

City, State & Zip Code: _____

Manager First Name: _____ Manager Last Name: _____

Email: _____ Phone: _____

Mailing Address (if different from the unit address): _____

City, State & Zip Code: _____

Grounds for Petition

Check all applicable grounds and complete **only** the corresponding Schedule(s).

- Capital Improvements**..... Schedule A
- Fair Return** Schedule B



Rent Stabilization Program

City of San José Housing Department

200 East Santa Clara St, 12th Floor, San José, CA 95113

408-975-4480 • www.sanjoseca.gov/rent • RSP@sanjoseca.gov

Unit Information

- Enter the total number of residential units on this property: _____
- Enter Tenant information, unit numbers, and current rent on the spreadsheet tabs (Schedule A.1 and B.1) where indicated.

Declaration of Landlord and/or Manager Petitioners

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

Signature: _____ Date: _____

Print Name of Person Signing: _____

Signature: _____ Date: _____

Print Name of Person Signing: _____

OFFICE USE ONLY

- Petition Number _____ Number of Units _____ Year Built _____
- Rental Registry Status Registered Not registered
- Business License Status _____
- Code Enforcement Cases Yes, open cases No open cases
- Building Permits _____
- Comments _____

Landlord Rent Petition Package

Schedule A – Capital Improvement

Purpose

This form is used in conjunction with the Landlord Petition Package Form to petition for an increase in rent associated with capital improvements made to the rental property. The Apartment Rent Ordinance allows landlords to petition to recover the cost of certain capital improvements made to the rental properties by passing through the cost of such improvements on an amortized basis to the affected units. Only the listed improvements are eligible to be passed through to Tenants provided that the requirements are met below.

“Capital Improvements” as defined in the San José Municipal Code means an addition or modification to the property, building, or unit, that replaces or enhances an existing physical feature of the Rent Stabilized Unit or of a building containing a Rent Stabilized Unit, or that provides new Housing Services to the Tenants as compared to the level of services previously provided (SJMC 17.23.120).

The Specified Capital Improvement must do at least one (1) of the following (SJMC 17.23.330(A)(2)):

1. Increase the safety (including ADA accessibility), sustainability (water or energy conservation), or seismic readiness of the Rent Stabilized Unit (or of a building containing a Rent Stabilized Unit); and/or
2. Provide new Housing Services or enhanced Housing Service functionality to the Tenants.

Landlords must petition for and receive an administrative decision authorizing a pass through of the cost of the improvements to the Tenants (SJMC 17.23.330(B)). The specified Capital Improvement must have been completed within the twelve (12) months prior to the filing of the petition (SJMC 17.23.330(A)(3)). The pass-through must not exceed 3% of the rent legally authorized at the time the petition is filed (SJMC 17.23.320(B)).

Briefly describe your capital improvement project:

- **Total Cost of the capital improvements:** _____
- **Number of units benefitting from the improvements:** _____
- **Date improvement project was completed:** _____
- **Building permit number(s):** _____

Instructions for filing on reverse side.



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1. Complete spreadsheet

Complete the spreadsheet entitled “Capital Improvement Rent Increase Calculation (Landlord Schedule A.1).” If the improvements cover multiple buildings or benefit different units, multiple spreadsheets must be attached.

2. Required architectural and structural costs

Required architectural and engineering costs for structural work may be included in the following seismic retrofit claims:

- Foundation Repair
- Foundation Replacement
- Foundation Bolting
- Masonry-Chimney Repair
- Shear Wall Installation
- Iron or Steel Work
- Soft Story Retrofit

3. Provide copies of invoices, building permits, and other supporting documentation

Provide copies of invoices, building permits, and other supporting documentation, including any statements on insurance settlements related to the work being claimed. These documents may be scanned and provided in electronic format.

The following items are allowed to be included as pass-throughs to the Tenants once authorized:

Type of Improvement	Amortization Period	Type of Improvement	Amortization Period
ADA Driveway Egress	10	Insulation	10
ADA Ramps	10	Structural Iron or Steel Work	20
Air Conditioning	10	Masonry-Chimney Repair	20
Drought Tolerant Landscape	5	Security System (including security gates and fencing)	10
Elevators	20	Shear Wall Installation	20
Fire Alarm System	10	Soft Story Retrofit	20
Fire Escape	10	Solar power panels	10
Fire Sprinklers/Retardant System	10	Insulation	10
Foundation Bolting	20	Structural Iron or Steel Work	20
Foundation Repair	20	Masonry-Chimney Repair	20
Foundation Replacement	20	Windows	10
Submetering	10		

4. Submit application

This application must be submitted in a single, signed hard copy, or a scanned electronic version of the hard copy. The electronic versions of all application forms and spreadsheet must also be included. If additional space is needed to describe your project, additional pages may be printed and submitted with your petition.