



Rent Stabilization Program

(650) 903-6149 | mvrent@mountainview.gov

Mountainview.gov/rentstabilization

COMMUNITY STABILIZATION AND FAIR RENT ACT (CSFRA) REQUEST FOR APPEAL OF PETITION HEARING DECISION

Communications and submissions during the COVID-19 Pandemic: To the extent practicable, all communications, submissions and notices shall be sent via email or other electronic means.

Any Party to a petition may appeal the Decision by *-serving a written Request for Appeal on all applicable parties and then filing a copy of the completed form with the City within fifteen (15) calendar days* after the mailing of the Petition Decision. If no Appeals are filed within fifteen (15) calendar days, the decision will be considered final.

I hereby Appeal the Hearing Officer’s Decision for the following Petition to the Rental Housing Committee:

Petition Case Number: C23240065
Name of Hearing Officer: Barbara M. Anscher Decision Date: 10/2/2024

For the following Property Address, including Unit Number(s), if applicable:

1921 California Street, Unit [REDACTED], Mountain View, CA 94040
(Street Number) (Street Name) (Unit Number)

Person Appealing the Hearing Officer Decision (if more than one person is appealing the petition decision, attach their contact information as applicable):

Name: Jeff Zell Phone: [REDACTED]
Mailing Address: [REDACTED] Email: [REDACTED]

I am: A tenant affected by this petition. A landlord affected by this petition.

Reason for Appeal:

Please use the space below to clearly identify what issue and part of the Decision is the subject of the appeal (include section headings and subheadings, as necessary). Thoroughly explain the grounds for the appeal. For each issue you are appealing, provide the legal basis why the Rental Housing Committee should affirm, modify, reverse, or remand the Hearing Officer's Decision. (continue on the next page; add additional pages if needed)

There was no reduction in service.

Filing Instructions:

Once you have completed this form and attached all relevant documents, **serve all parties with complete copies** before formally filing the Appeal with the City. Once served, please file a copy of the completed form with the City of Mountain View via email (preferred method) to patricia.black@mountainview.gov or by mailing to 500 Castro Street, Mountain View, CA 94041.

Declaration:

I (we) declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including documentation, are true correct, and complete.

Signature: Jeff Zell Date: 10/14/2024
Print Name: Jeff Zell

Digitally signed by Jeff Zell
DN: cn=Jeff Zell, ou=Zell Associates, Inc., ou=Main Office,
email=[REDACTED], c=US
Date: 2024.10.14 17:30:59 -0700

Este formulario está disponible en inglés y español. | 此表格有英文和中文版本

DISCLAIMER: Neither the Rental Housing Committee nor the City of Mountain View make any claims regarding the adequacy, validity, or legality of this document under State or Federal law. This document is not intended to provide legal advice. Please visit mountainview.gov/rentstabilization or call 650-903-6136 for further information.

Reason for Appeal (Continued)

The tenant does not have to sit and watch the water drain - he can walk away and let it drain on its own, whether it's moving quickly or moving slowly. It's not like a broken heater or broken window, where there's no heat or it's too cold. It's not flooding the apartment under normal use and it doesn't impact his ability to use the sink at all. It's not creating excessive humidity or tainting his water supply. Tenant can simply walk away and it will drain, like it does in all our other apartments.

If allowed to stand, then her ruling of 4.125% was excessive and punitive. 4.125% is (likely) larger than percentages allocated in other reductions in service where in fact there was an obvious or significant reduction in service, such as a broken window or stove. Awaiting City to respond to public records request with reduction in service awards.

Hearing officer provides no clear guidance or metrics as to when the issue, if it is an issue, is considered resolved. If we plunge the sink and it flows normally, even once, is it resolved? If we replace the sink and it flows normally, then is it resolved? Is the resolution measured by our standards, the tenant's standards, a plumbers standards, or the RHC's standards? We've plunged it multiple times and taken video to prove it's fixed, only to have the tenant say it wasn't to his standards.

The rent increase should be allowed to stand. There is a clause in the lease agreement that permits a rent increase in accordance with the CSFRA, the rent increase was not contested in the reduction in service petition, and the rent increase was not contested separately from the reduction in service petition.

The hearing officer exhibited bias from the start of the hearing such that it was clear she was going to rule in favor of respondents regardless of our testimony. Awaiting City to respond to public records request with copies of all communications related to Zell, Zell Associates, Inc., and all our managed properties.

Proof of Service of Request for Appeal of Petition Hearing Decision

I declare that I am over eighteen years of age, and that I served one copy of the attached Appeal of Petition Hearing Decision after Remand on the affected party(ies) listed below by:

Personal Service

Delivering the documents in person on the 14 day of October, 2024, at the address(es) or location(s) above to the following individual(s).

Mail

Placing the documents, enclosed in a sealed envelope with First-Class Postage fully paid, into a U.S. Postal Service Mailbox on the 14 day of October, 2024, addressed as follows to the following individual(s).

Email

Emailing the documents on the 14 day of October, 2024, at the email address(es) as follows to the following individual(s).

Respondents

JoAnn, Patricia, Anky

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed on this 14 day of October, 2024

Signature:

Jeff Zell

Digitally signed by Jeff Zell
DN: cn=Jeff Zell, o=Zell Associates, Inc., ou=Main Office, email=[REDACTED], c=US
Date: 2024.10.14 17:30:34 -07'00'

Print Name:

Jeff Zell

Address:

[REDACTED]