

Types of Petitions

There are various types of petitions. Tenant-initiated petitions make up most of the petitions submitted. Landlord-initiated petitions have levelled off significantly after the first year. For an overview of types of petitions see Table 1.

Table 1: Petition Program Types of Petitions

Type of Petitions	Subtype of Petitions
a. Landlord Initiated Petitions	
a.1	Maintenance of Net Operating Income (MNOI) Petition
a.2	Specified Capital Improvement Petition
b. Tenant Initiated Petitions	
b.1	Unlawful rent
b.2	Failure to maintain habitable premises and/or reduction in housing services
b.3	Undue tenant hardship
b.4	Joint Petition for new or additional housing services
c. Other Petitions	
c.1	Exemption Petition
c.2	Hearing Officer Decision Compliance Petition
d. One-Time Utility Adjustment Petitions	

a.1 *Maintenance of Net Operating Income (MNOI) Petitions*

Landlords can file a petition to request rent increases above the Annual General Adjustment (AGA) if current rents are unable to maintain net operating income (MNOI). Net operating income is gross income minus operating expenses. If the net operating income earned during the petition year is less than in the base year (adjusted for inflation), a rent increase above the AGA may be needed to ensure a fair rate of return on the property.

a.2 *Specified Capital Improvement Petitions*

Specified Capital Improvement Petitions offer a faster way for landlords to recover costs related to certain types of construction, repairs, and maintenance. Landlords may file a Specified Capital Improvement Petition to temporarily increase rent for existing tenancies in rent-stabilized units above the allowed Annual General Adjustment (AGA) for qualifying capital improvements.

b.1 *Unlawful Rent Petitions*

Tenants can file this petition to challenge a rent increase or to recover excess rent payments. Reasons for filing this petition may include issues of non-compliance such as: increases given above the Annual General Adjustment (AGA); banked rent increases given above the AGA or given when not allowed or available; more than one rent increases was

given within a 12-month period; and the property is or was out of compliance with the CSFRA when the increase was given.

b.2 *Habitability and Maintenance Petitions*

Tenants can file this petition for two reasons: the landlord fails to maintain a livable, healthy and safe premise or there is a reduction in housing services or maintenance.

b.3 *Tenant Hardship Petitions*

Qualifying tenants can file this petition to request relief from a rent increase above the AGA. Petitions can be submitted in response to a banked increase notice or an Upward Adjustment of Rent Petition.

b.4 *Joint Petition for New or Additional Housing Services*

Tenants can file this petition together with their landlord to request a rent increase or allow a one-time payment from tenant to landlord to cover, or partially cover, increased costs in specified categories while ensuring the landlord remains in compliance with the CSFRA and MHRSO. Reasons for filing could include adding a pet or occupant to the lease or making renovations beyond those necessary to maintain code standards (such as upgrading flooring or appliances).

c.1 *Exemption Petitions*

In Fiscal Year 2021-22, the RHC adopted regulations providing landlords or tenants a process to object to staff's determination of exemption of a unit or property (Exemption Petition) from being covered under the CSFRA or MHRSO.

c.2 *Decision Compliance Petitions*

In Fiscal Year 2022-23, Decision Compliance Petitions were instituted to address claims of non-compliance with a hearing decision issued by a Hearing Officer.

d. *One-Time Utility Adjustment Petitions*

In Fiscal Year 2023-24, the RHC adopted regulations clarifying that utilities are part of rent for units fully covered by the CSFRA and are subject to the rent increase limitations of the CSFRA. The use of RUBS (Ratio Utility Billing Systems) whereby utilities are charged separate from rent, are no longer allowed. The RHC adopted a One-Time Utility Adjustment Petition process allowing landlords a transition petition process to discontinue the use of RUBS and incorporate utility costs into the total rent.