



City of
Mountain View

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: C23240030 and C23240031

Name of Hearing Officer: Renee Glover Chamberler Decision Date: 9/20/2024

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

959 Rich Ave [REDACTED]
(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: HEIDI FADAGE Phone: [REDACTED]
Mailing Address: 959 Rich Ave [REDACTED] Mountain View, CA 94041 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)

please see attached appeal.

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: Heidi Fadage Date: 10/7/2024
Print Name: HEIDI FADAGE

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)

please see attached appeal.

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 ___ day of _____, 20___, 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 7 day of October 2024, addressed as follows to the following individual(s).

Email

Emailing the documents on the ___ day of _____, 20___, at the email address(es) as follows to the following individual(s).

Respondents

RESPONDENT NAME

PAM CHEN

RESPONDENT ADDRESS

RESPONDENT EMAIL

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

Executed on this 7 day of October, 2024

Signature:

Heidi Fadaee

Print Name:

HEIDI FADAEI

Address:

959 Rich Ave, [REDACTED] Mountain View, CA 94040

Reasons for Appeal

Based on these findings, I, the Petitioner was awarded zero dollar amount for Quality of air (chemical smells), Construction noise and excessive dust and dirt, Insect Infestation: No See Ums, Insect Infestation: Spiders and Mosquitoes.

ARGUMENT

"Exhibit LL-12" on page 4

On Page 4 of the Decision, the hearing officer, writes " This summary of events unrelated to the issues raised by the Petition deals with a history of conflicts by and between Ms. Fadaee, her visitors/co-residents, other residents at the complex and/or SCI personnel. Except for the last narrative paragraph (see page 3-4 of LL12) relating to Petitioner's reaction to receiving a rent increase notice during the time that construction was occurring at the complex (which Petitioner now contends was unlawful), these documents do not bear on any issues impacting the outcome of the Petition; to wit, the alleged problems with the Unit for which Ms. Fadaee seeks a rent reduction/rebate or the allegedly unlawful rent increase. This Hearing Officer therefore exercises her discretion to exclude Exhibit LL-12, except for the single paragraph referenced above. See Evidence Code § 352 [discretion to exclude evidence that would confuse the issues: "

I disagree with the portion that she concludes " deals with a history of conflicts by and between Ms. Fadaee, her visitors/co-residents, other residents at the complex and/or SCI personnel." This is the hearing officer's misinterpretations and it is not based on the facts; it's only based on her own misinterpretations (the 15 pages does not contain any video or photograph or rp about me except for the pr that was listed on page 2; this is in regards to the carpet cleaner that was cleaning the carpet in [REDACTED] which I have the video of what happened. The reason I did not include this in my petition as part of my backup was it was related to 11/4/2022 (it was not related to the time period of this petition brought up by me.)

The remarks on the PR is based on what the carpet cleaner told the PR. I have requested the police report myself from the city of Mountain view Police department which represent my remarks and my friend's [REDACTED] remarks. Also, I have the video of what happened which I will be more than happy to provide you with that per your request. This video will show the truth. The Statements that the carpet cleaner and [REDACTED] have stated are totally untrue. This video will show that how the carpet cleaner parked his van right in front of my door (so close to my door that I could not get out my apartment ; approximately 1.5 inches from my door.) I asked the carpet cleaner to please move his van so I could go outside then he could pull back in front of my door but he cursed me in Spanish "pendeho, chinga, kayate" and I was so shocked of his behavior and respond because I was so nice to him and asked him nicely " excuse me, please I need to get out because I can't breath" but he ignored me and yelled at me again and cursed me. When I opened the door for me to get out of my apartment because I had a hard time to breath (the carbon monoxide the was coming out of the generator facing my door was making the air quality bad.)

When I opened the door to run out of my apartment because the smell and the quality of the air inside of my apartment was getting really bad, I saw the generator facing my door, and splash of water along with the chemical that was in it to clean the carpet, hit my face. I got so scared and shut the door and called my friend, [REDACTED] to come and help me because [REDACTED] speaks Spanish fluently and I thought that maybe the carpet cleaner would listen to him better. The carpet cleaner was so rude to [REDACTED] and was yelling at him and cussing him. [REDACTED] decided to call the Police to report this incident; that's when the carpet cleaner pulled away a little farther from door so I could get out. I was so scared and I thank God for [REDACTED] if it was not for him to come and rescue me and call the police, I don't know what would have happened to me. The Lord used [REDACTED] to save my life. Even though the police asked me to text him the Video which I did later, I did not want to follow up because I have a compassionate heart and I felt sorry for the carpet cleaner to lose his job. But I had no idea the carpet and [REDACTED] had made up the remarks from their end to the police. Thank God I kept the Video; the Video that was captured on my camera behind my window explains the truth and what actually happened.

The remaining police reports are related to a tenant and my friend, [REDACTED] used to be my roommate and lived in this complex from 2013 thru 2020.) In those rp notes I saw only remarks that were made by one tenant which I don't even know who he was. (there was no arrest or evidence of violence. I was not aware of these remarks that were made by this tenant about my friend, [REDACTED] People can say anything to rp but that does not reflect the truth (there has to be a video or photograph to prove that.)

[REDACTED] many times has approached my friend, [REDACTED] when he was visiting me in the past and yelling at him and calling him names (he had called him "homeless get out of here and other names which I will not disclose. I have lived in this apartment complex since December of 2005. I lived in unit [REDACTED] from December of 2005 thru August of 2020 [REDACTED] was my roommate and in the lease from August 2013 thru August 2020.) I moved in [REDACTED] in September of 2020.

Pages 1 thru 4 that were written by the landlord, [REDACTED] are all made up stories written by him and no truth in them. There are no videos, photographs or any police report in regards to these four pages.

I lived here in this complex for 19 years and have had a good reputation. How is it that I had a good reputation all those years and all of the sudden the new landlord, [REDACTED] with his made up and false stories on pages 1 thru 4 per **Exhibit LL-12**.

Also, per his note on page , he had told the tenant from [REDACTED] that I have mental illness. First of all, that is a made up story by him (I never received a notice from him in regards to this matter; also, if I was doing that, wouldn't the tenant take a video or call the police? Why would I go to his car every day before he gets to his car and fight with him. This is a made up story and untrue; there is no truth in this. He lies a lot. Cassandra Brown can testify that he lies a lot. He wrote all these lies about me per LL-12 pages 1 thru 4 to retaliate me because I came to the City of Mountain View. Also, this is **defamation**

(telling others per his writings in Exhibit LL-12 that I am chronic problem and have mental illness. He has no proof of that, I am very healthy in my mind.)

Regarding the Exhibit LL-12, the last narrative paragraph (please see page 3-4 of LL12), this is what happened. On Friday afternoon August 18, 2023, I heard somebody was pounding so hard and loud on my door. I got up from my chair (I was working from home) and opened the door. It was [REDACTED] the landlord, pointing his finger at me and yelling at me so loud and with so much anger saying "I'm going to tow the red Z car from the lot [REDACTED] then he taped the two notices that he had in his hand. I took the notices and read them (one was for the construction work that was going to start on August 23, 2023. The other notice was for rent increase.)

I pulled my lease from my drawer and went to [REDACTED] office to show him that in my lease, lot [REDACTED] was assigned to me for the red Z car. The prior landlord was nice and put the license plate of Z car in my lease and assign lot [REDACTED] to it. He knew this but he just wanted to come and intimidate me as he always had in the past. When I arrived at his office, I told him very nicely, [REDACTED] please don't tow the red Z car; please look at my lease (please look toward the end.) However, he pointed his right arm stretched toward me and yelled at me saying "get out of my office." I said to him "please look at the lease. However, he yelled at me again pointing his hand toward me and telling me " get out of my office". Then he turned to his drawer (that's when I really got scared and ran out of his office; I thought that he was going to pull a gun or something from his drawer to hurt me physically.) I was so scared and ran back as fast as I could to get to my apartment. I couldn't sleep that night.

He is lying on page 4 that he offered me a chair and tried to explain the rent increase to me. That is not true. He lies so much. Ms. Cassandra Brown, my witness in this case can tell you her stories about him.

I have my masters from Golden Gate university and undergraduate from San Jose State university, and I do voluntary work at my Church on Sundays and try to reach out and help the community. I go to the parks and talk to the homeless and people who are struggling with drugs and tell them that God loves them and cares for them and they can overcome any addictions (I buy them food and give them money so they could buy food and personal items like clothing, toothpaste.) I try to help my community.

- A. The Decision Regarding the Quality of air (chemical smells) Should Be Appealed Because the project for renovation took place for six and half weeks created inhabitability condition for me since I worked from home during the hours of 8:00AM to 5:00PM. The duration of the project was not just for a couple of days or for a week but it took six and half weeks excluding the weekends and the holidays to complete the project.**
- B. The Decision Regarding the Construction noise and excessive dust and dirt Should Be Appealed Because the project for renovation took place for six and half weeks created inhabitability condition for me since I worked from home during the hours of 8:00AM to 5:00PM. The**

duration of the project was not just for a couple of days or for a week but it took six and half weeks excluding the weekends and the holidays to complete the project.

- C. **The Decision Regarding Insect Infestation: No See Ums Should Be Appealed** Because the project for renovation took place for six and half weeks created inhabability condition for me since I worked from home during the hours of 8:00AM to 5:00PM. The duration of the project was not just for a couple of days or for a week but it took six and half weeks excluding the weekends and the holidays to complete the project.

- D. **The Decision Regarding the Insect Infestation: Spiders and Mosquitoes Should Be Appealed** Because the project for renovation took place for six and half weeks created inhabability condition for me since I worked from home during the hours of 8:00AM to 5:00PM. The duration of the project was not just for a couple of days or for a week but it took six and half weeks excluding the weekends and the holidays to complete the project.