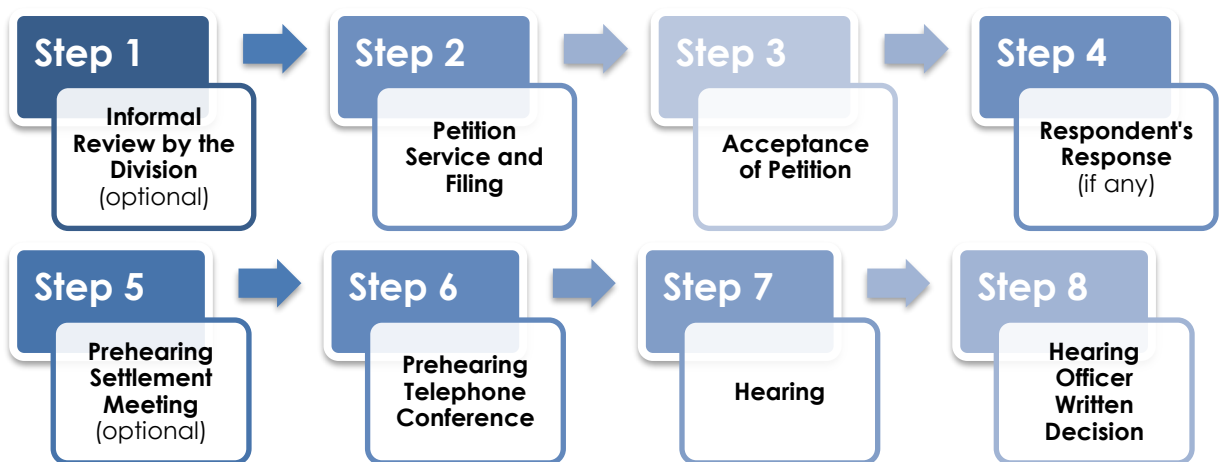


The Petition and Appeal Process

Overview of the Petition Process

- The petition process is detailed in CSFRA Regulations Chapters 4, 5, 6, and 13 as well as MHRSO Regulations Chapters 5, 6, and 7. These regulations are reviewed and updated on an ongoing basis in order to address the increasing complexity of cases, improve efficiencies, clarify procedures, enhance support to the petitioner and respondent, and simplify language wherever possible.
- Figure 1 below provides an overview of the steps in a typical petition process:

Figure 1: Steps of the Petition Process



- Staff administers and monitors every step of the process, educating and supporting the parties, providing forms, accepting formal submittals of petitions and responses, assigning hearing officers, monitoring timelines, sending out formal hearing officer orders and decisions, and communicating with parties, hearing officers, and legal counsel.

Overview of the Appeal Process

- Any party to a petition may file an appeal of the Decision by serving a written Request for Appeal on all applicable parties and then filing a copy of the completed form with the Rent Stabilization Division within 15 calendar days after the mailing of the Petition Decision. If no Appeals are filed within this period, the decision is final.

- If an Appeal is filed, an Appeal Hearing is scheduled to be heard before the RHC at an RHC meeting and a Tentative Appeal Decision is written on behalf of the RHC and shared with the parties before the Hearing. The parties may respond to the Tentative Appeal Decision five days prior to the Hearing.
- At the Appeal Hearing, staff presents information about the Appeal to the Committee, and then both parties are given the opportunity to speak after which the Committee asks questions of the parties and deliberates on the Appeal decision. The Committee may decide to affirm the Hearing Officer's decision in whole or in part, remand the decision back to the Hearing Officer for further consideration, or deny the decision and issue a different outcome.
- Appeal Decisions not remanded back to the Hearing Officer are final and can only be challenged in court. For an overview of the Appeal Process, see Figure 2 below.

Figure 2: Steps of the Appeal Process

