



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 *servicing a written Request for Appeal on all applicable parties and then filing a copy of the completed form with the City* within ten (10) calendar days after the mailing of the Petition Decision. If no Appeals are filed within ten (10) 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: C22230030

Name of Hearing Officer: Renee Glover Chantler

Decision Date: 6/30/2023

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

1260

Montecito Avenue

Unit 1

(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:

Phone:

Mailing Address

I am: A tenant affected by this petition.



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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)

First, I would like to point out that the "Ms Tai" stated in the hearing was not Winnie Tai. The person present was the managing representative, Elaine Tai. The roof leak was dealt with in a timely manner. Tarp was placed on the roof while waiting for the roofing contractor. Since the presence of mold was not established or tested, the award is not justified.

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: Elaine Tai

Date: 7/6/2023

Print Name: Elaine Tai

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)

If the award was based on visual discoloration, then the repairs and cleaning costs, or their estimates, should be taken into consideration from proofs of pictures submitted. There was no proof nor any symptoms of mold exposure reported by any doctor's report submitted. The flooring in the middle of the living room has variations from the manufacturer,. It was unaffected by the leak and no repair was performed there. There was no sufficient evidence that the leak rendered the rental unit uninhabitable or interfered with the Plaintiff's ability to live in the rental unit (which he did) to any meaningful extent. Also, the Plaintiff parked his boat in the garage all that time. Therefore, the reduction of rent from the garage was unjustified and should not be deducted. As for the living room wall, the small spot in an earlier photo disappeared in subsequent photos, indicating no growth or cause for uninhabitable issue and did not justify for a rent reduction.

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 ____ day of _____, 20____, 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

INSERT RESPONDENT NAME

INSERT RESPONDENT ADDRESS

INSERT 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 ____ day of _____, 20____

Signature: _____

Print Name: _____

Address: _____