



Rent Stabilization Division

(650) 903-6136 | mvrent@mountainview.gov
Mountainview.gov/rentstabilization

Detailed Instructions for Tenant Petition for Downward Adjustment of Rent: Unlawful Rent, Failure to Maintain Habitable Premises, and/or Reduction in Housing Services or Maintenance

Petition Overview

CSFRA regulations allow tenants of units covered by rent stabilization protections to file petitions with the City requesting a downward adjustment of rent should their landlord be in violation of a section of the CSFRA or if a banked rent increase may pose an undue tenant hardship.

Tenants requesting adjustments in rent do so by filing petitions with the City and entering into a formal process. This process includes filing of forms and documentation, pre-hearing meetings, pre-hearing settlement conferences (if requested), hearings overseen and adjudicated by a Hearing Officer and the issuing of a formal decision by the same Hearing Officer. The process also allows parties to the petition to file appeals with the Rental Housing Committee (RHC) should they dispute the outcome of the decision.

Tenants may file petitions requesting a downward adjustment of rent with the City for three main reasons:

1. Unlawful Rent
2. Failure to Maintain Habitable Premise and/or Reduction in Housing Services
3. Tenant Hardship

Reasons to File Petitions

A. Unlawful Rent Increases

Tenants can file petitions to dispute rent increases or to recuperate excess rent payments. Reasons to file petitions for unlawful rent increases may include:

- Increases given above the Annual General Adjustment (AGA)
- Banked rent increases given above the AGA or given when not allowed or available
- Proposed rent increase is unlawful
- More than one rent increases given within a 12-month period
- Property is or was out of compliance with the CSFRA when the increase was given

Each year, the Rental Housing Committee (RHC) sets the maximum amount of rent that can be raised, also known as the Annual General Adjustment (AGA). The AGAs effective since 2017 are listed in the table to the right.

Rents can only be raised above the AGA with a banked rent increase, landlord petition, or joint petition.

Allowed Rent Increases (AGAs) from 2017-present		
AGA Year	Percent	Timeframe
2023	5.0%	September 1, 2023 – August 31, 2024
2022	5.0%	September 1, 2022 – August 31, 2023
2021	2.0%	September 1, 2021 – August 31, 2022
2020	2.9%	September 1, 2020 – August 31, 2021
2019	3.5%	September 1, 2019 – August 31, 2020
2018	3.6%	September 1, 2018 – August 31, 2019
2017	3.4%	September 1, 2017 – August 31, 2018

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.

B. Failure to Maintain Habitable Premise and/or Reduction in Housing Services

Tenants can file this petition to request a rent decrease for two reasons:

1. The landlord fails to maintain a livable, healthy and safe premise

Reasons to file may include:

- Water/hot water, heat, and electrical/gas are not in good working order
- Plumbing facilities, including cold and hot water, are not in good working order (hot water must be at least 120 degrees)
- Roof, windows, walls and/or doors are not water/weatherproof
- Building and property are not clean and free from vermin and/or bug infestations

2. There is a reduction in housing services and/or maintenance for the tenant's unit and/or at their property

Reasons to file may include:

- New charges for services, like a parking spot or utilities, that were once included in the rent amount but are now being charged in addition to the rent
- Amenities closure or removal (for instance, a pool being closed or filled in)

C. Tenant Hardship

If you receive a lawful rent increase above the AGA using one of those methods, and qualify as having a “hardship condition,” you can file a petition for undue tenant hardship to request the increase amount that is above the AGA not be allowed. Below are the hardship conditions as defined by the CSFRA Regulations. Tenant Hardship Petitions require a separate form. Please visit mountainview.gov/rentstabilization or contact staff for a copy of the form or more information.

Hardship Conditions Defined by the CSFRA Regulations		
Hardship Condition	Household Income Limit or Rent Burden Status*	Additional Criteria**
a. Inadequate Household Income	100% of AMI or Severe Rent Burden	n/a
b. Families with Children	120% of AMI or Severe Rent Burden	Children under the age of 18
c. Senior Household	120% of AMI or Severe Rent Burden	Person who is 62 or older
d. Persons with Disabilities	120% of AMI or Severe Rent Burden	Person who is disabled
e. Persons who are Terminally Ill	120% of AMI or Severe Rent Burden	Person who is terminally ill
f. Other	N/A	Other extenuating circumstances
* Severe Rent Burden means the household spends more than 50% of household income on rent.		
** The home must be the primary residence of the person with the hardship condition.		

The table below provides the 100% and 120% AMI limits based on household size.

State Annual Area Median Income (AMI) for Santa Clara County in 2023								
Household Size	1	2	3	4	5	6	7	8
100% AMI	\$126,900	\$145,050	\$163,150	\$181,300	\$195,800	\$210,300	\$224,800	\$239,300
120% AMI	\$152,300	\$174,050	\$195,800	\$217,550	\$234,950	\$252,350	\$269,750	\$287,150

Tenant Hardship Petition Deadlines

Tenant Hardship Petitions filed in response to Banked Rent Increase notices must be filed with the Rental Housing Committee and served on the Landlord ***within ten (10) calendar days after the effective date of the rent increase***. If the Hardship Petition is received after the effective date of the rent increase, the first month of the requested rent increase remains due. Tenant Hardship Petitions filed in response to a Landlord Petition, such as a Capital Improvement or Maintenance of Net Operating Income (MNOI) Petition, must be filed ***at least ten (10) calendar days before the scheduled Hearing***.

PREPARE TO FILE A PETITION

Here are a few things to do before starting the petition.

- Gather the following information and documents:
 - Landlord contact information
 - Address
 - Phone number
 - Email
 - Rent history
 - Amount of rent on either:
 - October 19, 2015 (*If applicable*)
 - Initial Rent Amount on Move-in Date (*If this date falls after October 19, 2015*)
 - Rent increases and/or decreases after October 19, 2015 or Move-in Date
 - Payment of excess rent amounts from December 23, 2016 onward
 - Documentation
 - Copies of checks/money orders/payment receipts
 - Bank statements
 - Rental agreements and/or leases
 - Notices of rent increases
 - Relevant correspondence with housing provider/landlord/owner/manager
 - Separate agreements (including parking, storage or other amenities)
- Decide if you will:
 - Designate a representative to file this petition on your behalf or appear on your behalf
 - *Gather representative contact information if applicable*
 - *Download and complete the Representative Authorization Form*
 - Have any witnesses speak on your behalf
 - Request a settlement meeting

COMPLETE THE PETITION PACKET

- The petition packet includes the following documents:
 - Petition form
 - Workbook
 - Notice of Submission and Proof of Service form
- Closely review the petition to check that you have:
 - Entered all information correctly
 - Completed the entire petition
 - Gathered and labeled all applicable documentation
 - Provided explanations for all missing documents
 - Clearly explained any complicated issues in your petition

REQUEST AN INFORMAL REVIEW

The next step is to formally serve the petition packet on your landlord. Before doing so, you may want to request an *optional and informal* preliminary review of your petition by the Rent Stabilization Division staff.

The informal review provides an opportunity for staff to:

- Offer feedback regarding missing information and/or incomplete worksheets
- Provide information on documentation
- Answer your questions

By requesting an informal review, you reduce the likelihood of having to re-serve the petition if information is found to be missing or incomplete. Staff recommend informal reviews for all petitions.

SERVE THE PETITION

Once you have filled out the petition packet and completed the informal review, it's time to serve it on your landlord.

Complete the Notice of Submission and Proof of Service Form

The Notice of Submission and Proof of Service Form must be completed before serving the petition on your landlord. This form notifies the affected parties that you are submitting a request to the City of Mountain View for a rent decrease.

The following methods of service may be used to serve the petition packet on your landlord:

- By Personal Service/Hand Delivery;
- By Mail; and/or
- By Email (can only be used if you regularly communicate with your landlord via email)

Serve on Landlord

Serve the signed petition packet on your landlord as indicated in your Proof of Service Form. ***Do not serve any supporting documents on your landlord.*** The City will review the supporting documents and redact (remove) any confidential information before providing a copy to the landlord.

The following documents should be served on your landlord:

- Signed Notice of Submission and Proof of Service
- Signed Petition form
- Workbook
- Blank Response Notice form

FILE THE PETITION AND ITS SUPPORTING DOCUMENTS

File the petition with the City by submitting it to the address or email below. The date of service on your landlord will be considered the date of filing with the City if this date is later than the filing date.

The following documents should be filed with the City:

- Signed Notice of Submission and Proof of Service
- Signed Petition form
- Workbook
- Supporting documents

City of Mountain View, Rental Housing Committee
500 Castro Street
Mountain View, CA 94041

-or submit by email (preferred method) to Joann.Pham@mountainview.gov

NEXT STEPS

Formal Review and Acceptance

Rent Stabilization Division staff reviews your petition to make sure it is complete. If information or documentation appears to be missing, staff will contact you to give you a chance to supplement or revise your petition. Staff then accepts the petition and notifies all parties involved. The City of Mountain View will have redacted copies of the complete petition (*including all evidentiary documentation*) available for review by interested parties. Personal information (i.e. phone numbers, social security numbers, dates of birth) will be removed (redacted). The redacted copies (*including all evidentiary documentation*) are a public record and subject to the California Public Records Act (Government Code Section 6250, et seq.).

Settlement Meeting

Rent Stabilization Division staff contacts all parties to discuss the hearing process, including scheduling a settlement meeting, if that option was selected. If all parties agree to participate, staff schedules the meeting. At the meeting, you will have the opportunity to privately discuss issues brought up in the petition with a trained facilitator and the affected parties. If a mutual understanding is reached, the facilitator drafts a binding agreement, and the petition is resolved without going to a hearing. Any settlement agreement is a private record and not subject to public disclosure.

Hearing Process

If a settlement meeting is not requested, or no agreement is reached, staff coordinate a hearing with a hearing officer and the parties. A week or two before the meeting, the hearing officer holds a telephone conference to review what will happen at the hearing, request additional documentation, and answer any questions. At the hearing, all parties have a chance to share information with the hearing officer, respond to each other's statements and provide clarifying answers as requested. After the hearing is over and the record is closed, the hearing officer issues a written decision determining the outcome of the petition.

Appeals

A hearing officer's decision may be appealed to the Rental Housing Committee. The appeal must be filed within fifteen (15) calendar days of the mailing date of decision. If the hearing officer's decision is not appealed, it automatically becomes final and the petition is closed.

If an appeal is requested, both parties have the chance to participate in an Appeal Hearing held before the Rental Housing Committee. Appeal Hearings are heard during a regularly scheduled RHC meeting and can only be held with a quorum of the RHC present, meaning there must be at least three (3) members present. The Appeal Hearing will be rescheduled as necessary to obtain a quorum

The RHC can affirm, reverse, or modify the Petition Hearing Decision, or remand the matters raised in the Appeal to a Hearing Officer for further findings of fact and a revised Decision, if applicable. If the decision is affirmed, reversed or modified by the Committee, the decision is considered final and no additional appeals can happen.

If the RHC remands all or a portion of an appealed decision to a Hearing Officer, the Hearing Officer must issue and provide all parties with a written, revised Decision within forty-five (45) calendar days after the Remand Order from the RHC is delivered to the Hearing Officer and all parties.

For more information about appeals and the appeal process, please see the Appeal Information Sheet available online or contact staff.

LOOKING FOR MORE HELP?

The CSFRA and Regulations, including Chapters 4 and 5 outlining the petition and hearing process, as well as all Division forms are available at mountainview.gov/rentstabilization. If you have questions, please contact the Rent Stabilization Division at (650) 903-6136 or mvrent@mountainview.gov.

City of Mountain View Rent Stabilization Division

Petition Program

298 Escuela Ave, Mountain View, CA 94040 | mountainview.gov/rentstabilization

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Virtual Office Hours
Every Tuesday 10 a.m.-12 p.m. or by appointment
mountainview.gov/rspofficehours

Este formulario está disponible en español y mandarín.

此表格有西班牙语和中文版本。

Tenant Petition for Downward Adjustment of Rent: Unlawful Rent, Failure to Maintain Habitable Premises, and/or Reduction in Housing Services or Maintenance Supporting Documents Checklist

ALL TENANT PETITIONS

The timeframe relevant to my petition is from _____ to _____

Documents collected:

- Lease
- Lease Addendums (if applicable)
- Relevant communications with Landlord or Property Manager (if applicable)

A. UNLAWFUL RENT

List of Annual General Adjustments (AGAs) disputed (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> 2023 (Sep 1, 2023-Aug 31, 2024) | <input type="checkbox"/> 2019 (Sep 1, 2019-Aug 31, 2020) |
| <input type="checkbox"/> 2022 (Sep 1, 2022-Aug 31, 2023) | <input type="checkbox"/> 2018 (Sep 1, 2018-Aug 31, 2019) |
| <input type="checkbox"/> 2021 (Sep 1, 2021-Aug 31, 2022) | <input type="checkbox"/> 2017 (Sep 1, 2017-Aug 31, 2018) |
| <input type="checkbox"/> 2020 (Sep 1, 2020-Aug 31, 2021) | |

Documents collected for the timeframe relevant to my petition:

- Rent Increase notices
- Proof of payment of rent (*select all types submitted*)
 - Rent Ledger
 - Bank Statements
 - Rent check receipts
 - Money order receipts
- Other: _____

B. FAILURE TO MAINTAIN HABITABLE PREMISES OR REDUCTION IN HOUSING SERVICES

List of habitability conditions (if applicable)

(Write each condition present, check off the box next to each condition once documents are collected)

<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____

Documents collected for each habitability condition:

- Proof that Landlord was aware of the condition
 - Maintenance requests (if applicable)
 - Written communications (text, email, service request, letter) to landlord informing about each condition
- Evidence of each condition (please provide at least one form of evidence)
 - Photos
 - Videos
 - Recordings
 - Screenshot showing the *earliest* date the condition existed

Other: _____

B. FAILURE TO MAINTAIN HABITABLE PREMISES OR REDUCTION IN HOUSING SERVICES

List of housing service reductions (if applicable)

(Write each reduction, check off the box next to each condition once documents are collected)

<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____

Documents collected for each housing service (if applicable):

- Proof that Landlord was aware of the housing service reduction
 - Maintenance requests (if applicable)
 - Written communications to landlord informing about each housing service
 - Communications from landlord informing tenants about the housing service reduction
- Evidence of each condition (please provide at least one form of evidence)
 - Photos
 - Videos
 - Recordings
 - Screenshot showing the *earliest* date the housing service reduction existed
- Other: _____

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