



CITY OF SANTA ANA
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Santa Ana, California 92702
(714) 667-2209
rso@santa-ana.org

**Tenant Petition for
City of Santa Ana Residential Rental Property and Mobilehome Parks**

The Rent Stabilization and Just Cause Eviction Ordinance (“Ordinance”) allows for a maximum rent increase during any 12-month period of three percent (3%), or eighty (80%) of the change in the Consumer Price Index, whichever is less, as further described in Section 8-3141 of the Ordinance. A tenant may submit a Tenant Petition (“Petition”) to the Program Administrator on any one (1) or more of the following grounds as set forth in Section 8-3144:

1. To request a review of a rent increase in excess of the maximum allowed rent increase;
2. To request a reduction in rent based on decreased housing services;
3. To request a reduction in rent based on failure of the landlord to maintain a habitable; premises including health, safety, fire, or building code violations;
4. To contest a capital improvement cost as an unauthorized or excessive pass-through; and
5. For any other violation of the Ordinance by the landlord.

If you have any questions regarding the Tenant Petition, please contact a representative at (714) 667-2209 or rso@santa-ana.org. A copy of the Ordinance can be found [HERE](#).

The Ordinance details the following process for the submission of a Tenant Petition in Section 8-3145:

- A Tenant Petition shall be submitted to the Program Administrator at rso@santa-ana.org. Emailed submissions shall have a subject line titled “Tenant Petition – Last Name”.
- The Tenant Petition will be reviewed by the Program Administrator to determine if the required information and documentation were submitted. The petitioner will be notified if the Petition is accepted or deemed incomplete and denied.
- Once the Petition is accepted, the Program Administrator will provide written notice to the Tenant and Landlord. At this time all parties may provide information to the Hearing Officer. The Program Administrator will not assess the merit of the Petition.
- Once the Petition is accepted, an impartial Hearing Officer will conduct a hearing to act upon the Petition. The hearing will be held within sixty (60) days of acceptance.
- All parties will be notified in writing of the hearing date, time, and location no later than ten (10) days before the hearing.

- The Rental Housing Board, at its sole discretion, may hold a hearing on a Petition without the Petition first being heard by a Hearing Officer.
- The party who files the Petition shall bear the burden of proof and do so within the time limits set forth in Section 8-3144 (b). No Petition shall be granted unless supported by the preponderance of the evidence submitted at the hearing. All Petitions filed by tenants occupying the same building shall be consolidated for hearing, unless the Program Administrator or Hearing Officer finds good cause not to consolidate such Petitions.
- Any party may appear at the hearing and provide documents, testimony, written declarations, or other evidence that may be pertinent to the proceeding, as determined by the Hearing Officer, as set forth in the Rules of Evidence in Section 8-3145(k).
- Once a decision is made, the Hearing Officer will send a written notice to the parties.
- Pursuant to Ordinance Section 8-3144 (d), where a rent decrease has been ordered due to a decrease in Housing Services or failure to maintain habitability, the amount of rent decreased (return of excess rent) may be restored in accordance with procedures set out in the regulations when the former Housing Services or maintenance levels are reinstated.
- Any person that does not agree with the decision of the Hearing Officer may file an appeal with the Rental Housing Board within 30 days of the Hearing Officer's decision.

General Information

Rental Unit Information

Property/Park Address: _____

Property/Park Name (if applicable): _____

Property/Park Telephone: _____

Number of Units in Building: _____ Move-in Date: _____

The rent is paid to: Owner Resident Manager Management Co. Other: _____

Rent payments are made payable to: _____

Tenant Information

Tenant #1

First and Last Name: _____

Mailing Address: _____

Primary Phone Number: _____ Email address: _____

Tenant #2

First and Last Name: _____

Mailing Address: _____

Primary Phone Number: _____ Email address: _____

Tenant Representative Information: Attorney Non-attorney representative Interpreter

First and Last Name: _____

Mailing Address: _____

Primary Phone Number: _____ Email address: _____

Owner Information

First and Last Name: _____

Mailing Address: _____

Primary Phone Number: _____ Email address: _____

Tenant Petition

I am filing this Petition for the following reason(s): (Check ONLY the reasons that apply.)

A. To request a review of a rent increase in excess of the maximum allowed rent increase

(Form A must be attached to Petition.)

B. To request a reduction in rent based on decreased housing services

(Form B must be attached to Petition.)

C. To request a reduction in rent based on failure of the landlord to maintain a habitable premises including health, safety, fire, or building code violations

(Form C must be attached to Petition.)

D. To contest a capital improvement cost as an unauthorized or excessive pass-through

(Form D must be attached to Petition.)

E. For any other violation of the Ordinance by the landlord

(Form E must be attached to Petition.)

Tenant Petition – Form A
Unlawful Rent Increase Statement

My base rent was unlawfully increased by an amount or frequency that exceeds the maximum allowable annual increase requirements set forth in Section 8-3141 of the Rent Stabilization and Just Cause Eviction Ordinance.

1. I moved in on _____

2. What was the total initial base rent when you moved in? \$_____

3. Do you receive governmental rental assistance? No Yes I don't know

4. Is the property a single-family home or a condominium? No Yes I don't know

If your answer to the above question is Yes, please answer the following questions:

4a. Is your property owner one of the following: (1) A real estate investment trust, as defined in section 856 of the Internal Revenue Code (2) A corporation (3) A limited liability corporation? No Yes I don't know

4b. Is there an accessory dwelling unit on the property? No Yes I don't know

4c. Does the property owner live at the property? No Yes I don't know

5. Is the property a duplex? No Yes I don't know

If your answer to the above question is Yes, please answer the following question:

5a. Does the property owner live at the property? No Yes I don't know

6. Is the property a multi-unit building that was built after February 1, 1995?*: No Yes I don't know

* Use the [Property Activity Tool](#) to check the year when your rental unit or mobilehome space was built.

Please provide your full rent history on Form A: Rent History and provide any additional information below that helps explain your claim.

Tenant Petition – Form A (Continued)
Rent History

Please follow these instructions carefully:

- In the chart below, first write the date the original tenancy began (“Move-in Date”). Then write the amount of the base rent at the commencement of the tenancy (the “Total Initial Base Rent”). This amount should be the rent for the *entire rental unit*, not just your share of the rent.
- Starting in Box No. 1 under “Date of Increase,” list the date of each rent increase for the tenancy, starting with the first rent increase after the Move-in Date and ending with the most recent rent increase. (If you need additional space, please attach another page.)
- Opposite each rent increase date, write the total amount of the new rent after that increase (“Total New Rent”).
- Capital improvement pass-through costs shall not be considered rent and should be excluded from the rental amounts listed below. To challenge a capital improvement pass-through cost, please fill out Form D.
- Attach documents that demonstrate the date and amount of each rent increase such as the original lease, rent increase notices, rent receipts, money order receipts and/or canceled rent checks.

Date of Increase (Month/Date/Year)	Total New Rent (Dollar Amount)
Move-in Date:	Total Initial Base Rent:
1.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$

Tenant Petition – Form B
Substantial Decrease in Housing Services Statement

A tenant may file a Petition for a reduction in base rent when the landlord has substantially decreased a Housing Service without reducing the tenant's base rent pursuant to Ordinance Section 8-3144(a).

“Housing Services” are defined in Ordinance Section 8-3102(c) as services provided and associated with the use or occupancy of a rental unit including, but not limited to, insurance, repairs, replacement, maintenance, effective waterproofing and weather protection, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, laundry facilities and privileges, janitorial services, utilities that are paid by the landlord, refuse removal, allowing pets, telephone, parking, storage, the right to have a specified number of tenants or occupants, computer technologies, entertainment technologies, including cable or satellite television services, and any other benefits, privileges or facilities connected with the use or occupancy of such rental unit including a proportionate share of the services provided to common facilities of the building in which such rental unit is located and/or of the property on which such rental unit is located.

To establish a successful claim based on decreased Housing Services, the tenant will bear the burden of proof of all relevant factors when evaluating the Petition, including, but not limited to, the following:

1. The service at issue is a Housing Service;
2. The Housing Service was reasonably expected and/or provided at the commencement of the tenancy and/or verifiably promised by the landlord prior to commencement of the tenancy, or added after commencement of the tenancy;
3. The Housing Service was decreased, removed, or not provided by the landlord;
4. The landlord was provided with a reasonable notice and opportunity to correct the conditions that provide the basis for the Petition of the decreased Housing Service claim;
5. The landlord failed to provide or restore the Housing Service within a reasonable amount of time after receiving notice of the claim;
6. The landlord did not reduce the base rent by a reasonable amount for the decreased Housing Service.

Please provide details on the history concerning your decreased Housing Service on page 8 and provide any additional information below that helps explain your claim.

All information below must be provided. If you need additional space, please attach another Form B to the Petition.

Separately List Each Decreased Housing Service Below	When Was The Housing Service Decreased?	When Was The Landlord Notified of the Decreased Housing Service? (List All Dates of Notice and Attach All Written Notices)	Was the Decreased Housing Service Restored?	Dollar Amount of Monthly Rent Reduction Requested
1.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
2.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
3.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
4.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
5.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
6.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
7.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
8.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
9.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$
10.			<input type="checkbox"/> No <input type="checkbox"/> Yes Date restored: _____	\$

Tenant Petition – Form C
Failure to Maintain Habitable Premises Statement

A tenant may Petition for a reduction in rent if the landlord has failed to maintain a habitable premises, including health, safety, fire, or building code violations, as required by law and pursuant to Ordinance Section 8-3144(a). In accordance with California Health and Safety Code Section 17920.3, any condition of a building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, that endangers the life, limb, health, safety, or welfare of the public or the occupants shall be considered for this Petition.

The notice of rent increase must be attached to this Form C. All Notices of Violation and other evidence of code violations must be attached to this Form C.

All information below must be provided. If you need additional space, please attach another Form C to the Petition.

Date I Received Rent Increase Notice: _____ Effective Date of Increase: _____

Monthly Base Rent Before Rent Increase (Excluding Pass-Throughs): _____

Description of Repair Or Maintenance That Was Not Performed	When Was the Repair or Maintenance Requested? (List all dates of requests for repair/maintenance and attach all written requests)	Has the Repair or Maintenance Been Performed?	Is the Condition a Code Violation? (Attach all Evidence)
1.		<input type="checkbox"/> No <input type="checkbox"/> Yes Date Performed: _____	
2.		<input type="checkbox"/> No <input type="checkbox"/> Yes Date Performed: _____	
3.		<input type="checkbox"/> No <input type="checkbox"/> Yes Date Performed: _____	
4.		<input type="checkbox"/> No <input type="checkbox"/> Yes Date Performed: _____	
5.		<input type="checkbox"/> No <input type="checkbox"/> Yes Date Performed: _____	

Tenant Petition – Form D Challenge to Capital Improvement Pass-Through Statement

A tenant may file a Petition to contest a Capital Improvement cost as an unauthorized or excessive pass-through pursuant to Ordinance Section 8-3144(a).

A “Capital Improvement” is defined in Ordinance Section 8-3102(c) as an improvement, addition or major repair to a rental unit that were paid for and completed after November 19, 2021 (the effective date of the first adopted Rent Stabilization Ordinance), provided such new improvement, addition or major repair has a useful life of five (5) years or more and that is required to be amortized over the useful life of the improvement, such as: structural, electrical, plumbing, or mechanical systems, roofing, carpeting, draperies, exterior stucco of a building, air conditioning, security gates, swimming pool, sauna or hot tub, fencing, children's play equipment permanently installed, the complete exterior painting of a building, and other similar improvements as defined under the straight line depreciation provisions of the Internal Revenue Code and the regulations issued pursuant thereto and determined by the Rental Housing Board. Capital Improvement does not include normal or routine maintenance, repair, and/or deterioration resulting from an unreasonable delay in the undertaking of completion or deterioration resulting from an unreasonable delay in the undertaking of completion or after a Notice of Violation by a government agency ordering repairs.

Please check all applicable boxes below and attach all relevant evidence that supports your claim that the pass-through is improper.

1. Effective date of pass-through: _____

2. Amount of pass-through: _____

3. I believe the pass-through is improper because: (Check all grounds that apply.)

i. The landlord imposed the Capital Improvement pass-through **without** filing a required petition or utilizing the Capital Improvement calculation procedures set forth in Ordinance Section 8-3143 (b).

ii. The landlord served the notice of increase for the Capital Improvement pass-through **before** filing and receiving a decision on a required petition or utilizing the Capital Improvement calculation procedures set forth in Ordinance Section 8-3143 (b).

iii. The landlord initiated a Capital Improvement Petition later than two (2) years after the completion of the capital improvement.

iv. The landlord served the notice of increase for the Capital Improvement pass-through for a period of time in which I did not occupy the rental unit.

v. Other reason: _____

**Tenant Petition – Form E
Other Violation Statement**

A tenant may file a Petition for any other violation of the Rent Stabilization and Just Cause Eviction Ordinance pursuant to Ordinance Section 8-3144(a). The party who files the Petition shall have the burden of proof for the violation being claimed. No Petition shall be granted unless supported by the preponderance of the evidence submitted at the hearing.

1. Please provide a detailed description of your landlord’s violation of the Rent Stabilization and Just Cause Eviction Ordinance, including a reference to the Ordinance section relevant to the purported violation. Please be sure to note relevant dates where applicable.

2. Please indicate the type of relief you are seeking: _____

3. Please indicate which documents you are submitting with this Petition:

- Notice of rent or other increase
- Copy of lease
- Copies of communication i.e., emails, letters, texts, etc.
- Photos
- Other: _____

Relevant Factors in Evaluating a Tenant Petition

Relevant factors when evaluating a Tenant Petition, pursuant to Section 8-3144(c), may include, but are not be limited to:

- 1) Landlord allows violations of the Rent Stabilization and Just Cause Eviction Ordinance or other applicable state and local statutes to persist;
- 2) Any reduction of Housing Services, living space, or amenities;
- 3) Substantial deterioration of the rental unit other than as a result of ordinary wear and tear;
- 4) Landlord's failure to provide adequate Housing Services;
- 5) Tenant provided landlord with reasonable notice and opportunity to correct the conditions that provide the basis for the Petition; and,
- 6) Landlord's failure to comply substantially with the Ordinance or applicable housing, health and safety codes.

**Tenant's Declaration
Under Penalty of Perjury**

I declare as follows:

I am the tenant, or authorized representative of the tenant(s), of said residential property/mobilehome park involved in this request.

I am authorized to submit this Petition form and supporting documentation on behalf of the residential property/mobilehome park being applied for.

I declare under penalty of perjury under the laws of the State of California that the information and documentation and statements contained in this Tenant Petition are true and correct to the best of my knowledge.

Executed this _____ (Day) of _____ (Month), 20_____ (Year)
at _____ (City), California.

Signed

Print Name

Capacity (e.g., Tenant, Attorney, Representative, etc.)

Mailing Address

City, State, Zip

Telephone

**This section does not need to be notarized.*