



Petition for Relief from Urgency Ordinance

Urgency Ordinance No. 4320, as amended by Urgency Ordinance No. 4329 (together, the “Ordinance”), allows for a maximum rent increase during any 12-month period of four percent (4%), or the change in the Consumer Price Index, whichever is less, as further described in Section 5 of the Ordinance.

Landlords may petition to request a hearing for relief from the Urgency Ordinance if they desire to increase the rent for a covered rental unit in an amount that is greater than what is allowed under the Ordinance and if they contend that the limitations on rent increases will prevent them from receiving a fair and reasonable return with respect to the operation of the property.

The applicant shall bear the burden of proving by a preponderance of the evidence at the hearing that because of the implementation of the Ordinance, the landlord is unable to obtain a fair and reasonable return. A copy of the Ordinance can be found at <https://www.pomonaca.gov/RS>.

If you have any questions regarding Petitions for Relief from the Ordinance, please contact a representative at (909) 620-3777 or RentStabilization@pomonaca.gov

The Ordinance details the following process for the submission of a Petition for Relief from Urgency Ordinance:

- The landlord must submit a copy of this petition to the City to request a hearing. The petition should include a statement indicating the basis on which the landlord contends that the limitations of the Ordinance will prevent them from receiving a fair and reasonable return, together with any evidence that the landlord wants the Hearing Officer to consider.
- The landlord must mail a copy of the petition by first class mail, postage prepaid, to all tenants whose rents are subject of the petition within five (5) calendar days after the date the petition is filed with the City.
- Within ten (10) calendar days after the date the petition is filed, the landlord must file a proof of service signed under penalty of perjury stating that a copy of the petition was mailed to all such tenants.
- The landlord shall bear the burden of proving by a preponderance of the evidence at the hearing that they are unable to obtain a fair and reasonable return because of the Ordinance.
- The applicant shall be responsible for all costs associated with the City's review of the Petition.
- A hearing shall be set for a date between fifteen (15) and sixty (60) days after all documents are received.
- The Hearing Officer shall send written notice to the landlord of the date, time, and place set for the hearing. The landlord must post such notice in a conspicuous place at the affected property to provide tenants a reasonable opportunity to view the notice and be advised of the hearing. Within

five (5) calendar days of receipt of the notice of hearing, the landlord must personally deliver a copy of the notice to each tenant in the affected covered rental units.

Landlord Name: _____ Telephone: _____

Landlord Address: _____

of Units in Property: _____ # of Units Affected by Proposed Increase: _____

Year Property Built: _____ Year Your Ownership Started: _____

Briefly explain the reasons for requesting a rent increase.

**Owner’s or Owner Representative’s Declaration
Under Penalty of Perjury**

I declare as follows:

I am the owner, or authorized representative of the owner(s), of said residential property involved in this request. I am authorized to submit this petition form and supporting documentation on behalf of the residential property being applied for.

I declare under penalty of perjury of law that the information and documentation and statements herein are true and correct to the best of my knowledge and belief.

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

Signed

Print Name

Capacity (e.g., Owner, Manager, Attorney, etc.)

Mailing Address

City, State, Zip

Telephone

Income

As provided below, list all residential property-related income. Use totals for your most recent 12-month calendar year and base year (2021) for all units in the property.

Do not include any income collected for the provision of sub-metered gas and electricity expenses or reimbursements for utility company charges.

Rent	Annual Total	
	BaseYear ¹ : _____	Most Recent 12-Month Calendar Year: _____
1. Total of unit/space rent	\$ _____	\$ _____

Fees (indicate what each fee is for)		
2. Late fees	\$ _____	\$ _____
3. Laundry income	\$ _____	\$ _____
Other Fees (list separately by type)		
4.	\$ _____	\$ _____
5.	\$ _____	\$ _____
6.	\$ _____	\$ _____
7.	\$ _____	\$ _____
8.	\$ _____	\$ _____
Other (list separately by type)		
9.	\$ _____	\$ _____
10.	\$ _____	\$ _____
Total Gross Income	\$ _____	\$ _____

1. If you are a first-time Petition for Relief from Urgency Ordinance applicant in the year 2022 or afterward, the base year information utilized in this Petition for Relief from Urgency Ordinance must be from the calendar year 2021, the period preceding the date the Urgency Ordinance went into effect.

Utilities

Electricity (please check one)

- Residents pay directly to utility company (proceed to the Natural Gas section below)
- Residents are billed by the owner based on their meter reading (proceed to A, below)
- Cost of the utility is included in the rent

A. Electricity pass-through	Fill in the amounts paid and collected for Electricity (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Natural Gas (please check one)

- Residents pay directly to utility company (proceed to the Water section below)
- Residents are billed by the owner based on their meter reading (proceed to B, below)
- Cost of the utility is included in the rent

B. Natural Gas pass-through	Fill in the amounts paid and collected for Natural Gas (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Water (please check one)

- Residents pay directly to utility company
- Residents are billed by the owner based on their meter reading (proceed to C, below)
- Cost of the utility is included in the rent

C. Water pass-through	Fill in the amounts paid and collected for Water (Most Recent 12-Month Calendar Year Period)
1. Amount collected from residents	
2. Amount billed by utility company	
Difference (1. Minus 2.)	

Operating Expenses

Item	Annual Total	
	Base Year	Most Recent 12-Month Calendar Year Period
1. Assessments	\$ _____	\$ _____
2. Electricity (common areas only)	\$ _____	\$ _____
3. Gas (common areas only)	\$ _____	\$ _____
4. Gardening	\$ _____	\$ _____
5. Insurance	\$ _____	\$ _____
6. Legal	\$ _____	\$ _____
7. Accounting	\$ _____	\$ _____
8. Licenses	\$ _____	\$ _____
9. Manager (if any)	\$ _____	\$ _____
10. Miscellaneous Supplies	\$ _____	\$ _____
11. Office Supplies	\$ _____	\$ _____
12. Real Property Taxes	\$ _____	\$ _____
13. Security	\$ _____	\$ _____
14. Street Sweeping	\$ _____	\$ _____
15. Trash (do not include charges reimbursed by tenants)	\$ _____	\$ _____
16. Water (do not include charges reimbursed by tenants)	\$ _____	\$ _____
17. Sewer (do not include charges reimbursed by tenants)	\$ _____	\$ _____
18. Cable (do not include charges reimbursed by tenants)	\$ _____	\$ _____
19. Owner-performed labor	\$ _____	\$ _____
20. Pool Maintenance	\$ _____	\$ _____
21. Plumbing Maintenance	\$ _____	\$ _____
22. Normal Repairs	\$ _____	\$ _____
23. Street Maintenance	\$ _____	\$ _____
Other (list separately by type)		
24.	\$ _____	\$ _____
25.	\$ _____	\$ _____
Total Operating Expenses	\$ _____	\$ _____

Additional Repairs

In the most recent 12-month calendar year period and base year, has there been a need for repairs caused by circumstances other than ordinary wear and tear? If so, please briefly explain below and list relevant repair expenses:

Additional Repairs (list separately by type)		
	Base Year	Most Recent 12-Month Calendar Year Period
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
Total Maintenance and Repair Expenses	\$ _____	\$ _____

Additional Expenses for Housing Services

Complementary Housing Services

List all services that were provided within the current rent at no additional charge to the tenants (e.g., car washing, dry cleaning, etc.)

Service Provided	Annual Amount	
	Base Year	Most Recent 12-Month Calendar Year Period
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____
Total	\$ _____	\$ _____

Previous and Proposed Rent Increases

List previous and proposed rent increases for each individual unit related to the residential real property specified in the Petition for Relief from the Ordinance. (Attach additional pages if necessary)

Month/Year	Average Rent	Average Rent	Average Increase	Date of Last Rent Change
Unit Number	Current Rent Charged	Requested New Rent	Percent Increase	

Completing the Petition for Relief from Urgency Ordinance

The owner(s), or authorized representative of the owner(s), must complete the Petition for Relief from the Ordinance and include all supporting documentation. If any information requested is not available indicate this fact and give the reason for its unavailability.

Please submit receipts, ledgers, invoices, and all supporting documentation by categories as listed below.

Required Documentation

- A. Copies of all invoices, cancelled checks, receipts, and ledger sheets or other documents showing, for the most recent 12-month calendar year period, the following:
 1. Rents collected from all tenants;
 2. Leases entered into between the applicant and the affected tenant(s);
 3. The amount of other income received in the period, including contracts for Section 8 units;
 4. Verified property taxes assessed and paid;
 5. Verified amounts billed and paid for electricity, gas, water, and trash service;
 6. Verified amounts expended for maintenance and repair;
 7. Insurance paid;
 8. All actual paid administrative and management expenses, if applicable;
 9. License or other fees paid;
 10. Verified miscellaneous expenses paid

After the Petition for Relief from the Ordinance is submitted, it will be reviewed to make sure it contains all necessary information. A Petition for Relief from the Ordinance will only be considered properly filed when it has been submitted in substantially completed form with all material information necessary to reach a decision on the Petition for Relief from the Ordinance. The applicant will be notified if the petition is incomplete or if any additional information is necessary. The applicant will then be allowed to either provide additional information or explain why they are not able to do so.

**Factors the Hearing Officer May Consider in Deciding a
Petition for Relief from the Ordinance**

The factors the Hearing Officer may consider in deciding a Petition for Relief from Urgency Ordinance may include, but are not limited to, changes in costs to the landlord attributable to:

- (1) Utility rates
- (2) Property taxes
- (3) Insurance expenses
- (4) Advertising expenses
- (5) Variable mortgage interest rates
- (6) Governmental assessments and fees
- (7) Incidental services
- (8) Employee costs
- (9) Normal repair and maintenance
- (10) Upgrading and addition of amenities and services
- (11) Rent rolls
- (12) Financial statements
- (13) Expert analysis
- (14) Relevant studies