

**CITY OF BERKELEY**  
**RENT STABILIZATION BOARD**  
2000 Center Street, Suite 400, Berkeley, CA 94704  
TEL: (510) 981-7368 (981-RENT) TDD: (510) 981-6903 FAX: (510) 809-3921  
E-MAIL: [rent@berkeleyca.gov](mailto:rent@berkeleyca.gov) INTERNET: [rentboard.berkeleyca.gov](http://rentboard.berkeleyca.gov)

**INSTRUCTIONS FOR FILING LANDLORD IRA PETITION FOR HISTORICALLY LOW RENT (HLR)**  
**Regulation 1280**

**\*\*USE FOR GOVERNMENT-SUBSIDIZED UNITS ONLY\*\***

Landlords of units fully covered by Berkeley's Rent Ordinance may file a petition to request a rent ceiling increase for units with historically low rents as defined below. **If the tenancy is governmentally subsidized (for example, the unit is under a Sec. 8 Housing Choice Voucher) and not exempt from rent control, you must use this petition to make the request.** The government agency will also be a party to the case. You should consult with the government agency to determine whether you need separate authorization from the agency to obtain the rent increase. If the tenancy is not governmentally subsidized, then you must use a different petition form.

Historically low rent (HLR) refers to a rent that was significantly below market rate at the start of rent control. Units for which an initial rent was established on or after January 1, 1999, are not eligible for the HLR increase. Units that qualify for such an increase must have lawful 1980 rent ceilings below certain minimums, and adjusted current rent ceilings below certain minimums. These minimum amounts are established according to number of bedrooms in the unit, and are found in Appendix A to Regulation 1280 and Table 2 of the petition form. Regulation 1280 does not apply to single-family residences or rooms in boarding houses and residential hotels.

You should obtain the rent ceiling history from the Rent Board before filing this petition. You may also find it helpful to review Section 12 of the Rent Ordinance and Chapter 12 of the Regulations before filing a petition. Copies of the Ordinance and Regulations are available at the Rent Board's office and on the Internet ([rentboard.berkeleyca.gov](http://rentboard.berkeleyca.gov)). Rent Board counselors are available to answer questions about the petition process; counselors can also provide you the rent ceiling history of a unit. See the contact information at the top of this page to make an appointment.

**FILING THE PETITION**

Provide the Rent Board a completed petition package, which contains the following:

1. A completed petition signed by the owner; and
2. A copy of supporting documentation (your evidence).

Send a copy of the petition package to the other parties, who are the affected tenants (respondents) **and the subsidizing government agency.**

You must follow the **Filing Rules** (posted on our Rent Adjustment Petitions webpage) on how to a) properly complete the petition; b) organize your evidence using an exhibit list form; and c) send them to the Rent Board and other parties in your case. Rent Board staff will contact you if anything is incorrect or incomplete.

**AFTER A PETITION IS FILED**

Unless a signed Agreement of Parties or Waiver of Right to Hearing (copy attached) is submitted, the Board will mail a Notice of Right to Object to each affected tenant, who has 20 days from the date the notice is mailed to file an objection to the petition. **(Petitions submitted with an Agreement of Parties must still include a proof of service indicating that all affected tenants were served with a copy of the petition.)** If a timely objection is filed, the petition will be scheduled for a settlement conference and hearing. Notice of the time and place of hearing will be mailed to all parties no later than ten days before the scheduled hearing date. If no objection is filed or if each affected tenant signs a waiver of the right to a hearing, an administrative decision will be issued based on the petition, supporting documentation and the Board's records. **Filing an incomplete petition will delay processing.**

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PETITION NO. L-\_\_\_\_\_

**LANDLORD PETITION FOR INDIVIDUAL RENT ADJUSTMENT  
FOR HISTORICALLY LOW RENT (HLR)**

Regulation 1280

**\*\*USE FOR GOVERNMENT-SUBSIDIZED UNITS ONLY\*\***

**1. Landlord information:** (An owner of record **must** sign the certification on the last page.)

A. Landlord: \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Daytime Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_  
Email address \_\_\_\_\_ @ \_\_\_\_\_

B. Name of Representative (if any) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Daytime Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_  
Email address \_\_\_\_\_ @ \_\_\_\_\_

**2. Property information:**

Property Address \_\_\_\_\_ Zip \_\_\_\_\_  
Are any petitions for this property currently pending? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_  
Total number of residential units on property, including exempt and owner-occupied units: \_\_\_\_\_

**3. Government Subsidy:**

A. Type of Government Rental Assistance or Other Subsidy (not exempt from rent control):

- Section 8 Housing Choice Voucher Unit No. \_\_\_\_\_  
 Shelter Plus Care Unit No. \_\_\_\_\_  
 Other: \_\_\_\_\_ Unit No. \_\_\_\_\_

B. List the government agency providing the rental assistance or other subsidy.

Agency Name \_\_\_\_\_  
Name of Agency Contact \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email: \_\_\_\_\_

**4. Units for which HLR increase requested:**

A. For all units for which an HLR increase is requested, list the unit designation, the beginning date of the current tenancy, rent charged at the beginning of this tenancy and current rent.

Unit Designation	Date Tenancy Began	Beginning Rent	Current Rent

B. To determine whether a particular unit qualifies for a historically low rent increase, complete this worksheet. If line 3 is more than line 4, or line 9 is more than line 8, the unit does not qualify.

Unit designation ►				
1. Number of bedrooms				
2. 1980 rent				
3. 1980 rent* from RTS print-out				
4. 1980 HLR MIN from Table 2				
5. 2026 HLR MIN from Table 2				
6. “Searle” increase from RTS print-out				
7. Total of increases for Capital Improvements, Additional Tenants, Change in Space or Services from RTS print-out				
8. Total of lines 5, 6, and 7				
9. 2026 rent ceiling from RTS print-out				
10. Subtract line 9 from line 8; this is the potential increase				

\*To determine the 1980 rent for previously exempt triplexes and four-plexes, reduce the 12/31/81 base rent by 5%.

**Table 2**

UNIT SIZE	1980 HLR MINIMUM	2026 HLR MINIMUM
Studio	\$171.15	\$595.73
1-BR	207.90	674.12
2-BR	244.65	749.60
3-BR	339.15	953.36
4-BR	370.65	1021.62

5. **Certification:** (Must be signed by an owner of record.) Each unit included in this petition has been properly registered for at least 30 days and is in compliance with the Ordinance, Regulations and applicable state and local

housing, building, health and safety codes. I declare, under penalty of perjury of the laws of the State of California,  
that the information in this petition and in all schedules, attachments, and forms is true and correct to the best of  
my knowledge and belief.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

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Petition No. L-\_\_\_\_\_

**AGREEMENT OF PARTIES/WAIVER OF RIGHT TO A HEARING**

Property Address: \_\_\_\_\_ Unit No. \_\_\_\_\_  
*(Use a separate form for each unit)*

- (This box must be checked for the agreement or waiver to be valid.)** I have received a copy of the petition and supporting documentation, and have no objections to the requested rent ceiling increases. I am satisfied that my unit is in habitable condition.

**AGREEMENT OF PARTIES**

Assuming the landlord is eligible for a rent ceiling increase in the amount requested:

- We agree to a maximum increase of \$ \_\_\_\_\_.
- We agree to an implementation of the increase different from that authorized by the Regulations; specifically: \_\_\_\_\_
- I (tenant) waive my right to the phase-in of increases as provided in Regulation 1274(B). *(Rent ceiling increases for increased occupancy are not subject to a phase-in.)*

**Note: An agreement that does not conform to the Ordinance and the Regulations will not be approved.**

**WAIVER OF RIGHT TO HEARING**

- I give up my right to a hearing** and understand that if all the affected tenants waive their right to a hearing or fail to file an objection, a decision may be issued without a hearing and be based on the petition, supporting documentation and the Board's records.
- Furthermore, I waive my right to the phase-in of increases under Regulation 1274(B). *(Rent ceiling increases for increased occupancy are not subject to a phase-in.)*

**CERTIFICATION:** I declare under penalty of perjury under the laws of the State of California that the above assertions are made voluntarily and without financial or other inducement.

LANDLORD SIGNATURE	PRINTED NAME	DATE
TENANT SIGNATURE	PRINTED NAME	DATE
TENANT SIGNATURE	PRINTED NAME	DATE
TENANT SIGNATURE	PRINTED NAME	DATE
TENANT SIGNATURE	PRINTED NAME	DATE

**PROOF OF SERVICE**

I AM A RESIDENT OF \_\_\_\_\_ COUNTY AND WAS, AT THE TIME OF SERVICE, OVER  
EIGHTEEN YEARS OF AGE. ON \_\_\_\_\_ (DATE), I SERVED ONE COPY OF THE  
FOLLOWING DOCUMENT(S): \_\_\_\_\_  
\_\_\_\_\_

BY: (CHECK APPROPRIATE BOX)

**\*\*You must list all the other parties, including the subsidizing government agency.\*\***

**DELIVERING THE DOCUMENTS IN PERSON TO THE FOLLOWING INDIVIDUAL(S):**  
[PRINT NAME OF EACH PARTY SERVED:]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLACING THE DOCUMENTS, ENCLOSED IN A SEALED ENVELOPE WITH FIRST-CLASS POSTAGE FULLY PAID, INTO A U.S. POSTAL SERVICE MAILBOX, ADDRESSED AS FOLLOWS:**  
[PRINT NAME AND ADDRESS AS SHOWN ON ENVELOPE OF EACH PARTY SERVED:]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.**

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(PRINTED NAME)