

# Berkeley Rent Board: Filing Rules

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## 1. Housing Counselor Review

A housing counselor can help ensure a petition or a response to a petition is complete and meets these rules. You're encouraged to [make an appointment](#) before filing. Counselors cannot give legal advice, including advising on whether a petition claim will be granted or not.

## 2. Filing and Serving Documents by Email

**Copy All Parties on the Email:** When filing the petition or response, and for all subsequent submissions, you must copy all parties on every email. Doing so constitutes proof of service. A separate Proof of Service form is not required.

**Petition Number Must Be in Subject Line:** Rent Board staff will assign the petition a number after it's filed. From that point, all parties must include the number in the subject line of the email. To make a related submission before a petition number is assigned, include the property address in the email subject line.

Submit to [FileRentPetition@berkeleyca.gov](mailto:FileRentPetition@berkeleyca.gov)

## 3. Filing and Serving Documents by Mail or Hand Delivery

**Proof of Service Form Required:** All documents filed and served by mail or hand delivery must include a completed Proof of Service form.

## 4. PDF Format Requirement for Email Filing and Service

All email filings (except videos) must be in PDF format. The name of a video file should be its exhibit number (e.g., Exhibit6). Exhibits are discussed in Rule 6.

**Petition Packages:** Petition packages must be compiled and submitted as a single PDF. The package usually includes the petition form, any required schedules, all supporting evidence (like documents, photos, and any emails you want considered as evidence), and an exhibit list.

**Objection/Response Packages:** Objection/Responses to a petition, supporting evidence, and an exhibit list must be compiled and submitted as a single PDF.

**Additional Evidence:** New exhibits must be compiled and submitted as a single PDF.

## 5. Options for PDFs That Exceed Email File Size Limits

- There are free online resources for compressing PDFs.
- Divide your filing into 2 parts, and email each PDF individually. Clearly name your files (e.g., Tenant Petition Part 1 and Tenant Petition Part 2).
- Place the single PDF in a Google Drive and email the link.
- Use mail or hand delivery to file with the Rent Board and serve the other party.

## 6. Evidence: Initial Filing of Petition or Response/Objection Package

**Evidence Required With Initial Filing:** Petitioners are responsible for filing supporting evidence with their petition. Respondents are responsible for filing supporting evidence with their objection/response. Evidence may be accepted after the petition or response/objection is filed if it was not available to the party at the time of the initial filing.

**Index of Exhibits Required:** Each piece of evidence is called an exhibit. Regardless of how you file, you must provide an index that lists each exhibit by number. Give each exhibit a name that describes what it is (e.g., Photo of rotted kitchen window sill). Each exhibit must be numbered. Hand numbering is fine. Include the index on top of your evidence in the petition or objection/response package in PDF format.

**Redact Confidential Information:** Because filings become part of the public record, please redact private information (such as bank account numbers, credit card numbers, or social security numbers) from the evidence you submit with your initial filing, or after the initial filing.

## 7. Additional Evidence

**Submission Timelines:** Parties should submit evidence that was not available at the time the petition or response was filed no later than 2 business days before the hearing. The hearing examiner may allow later submissions for good cause.

**Index of Exhibits Required:** Each new exhibit must be numbered and listed on an index. The numbering should continue from any prior index.

**Email Communications:** Any email communications you want considered as evidence, must be filed in PDF or hard-copy format, and included on an index. You cannot simply copy the Hearings Unit Administrator on email exchanges or forward them.

## 8. Video Size Limit

Individual videos cannot be larger than 75 MB.

## 9. Stating Claims

**Detail and Clarity:** Describe claims clearly, and with enough detail to give the opposing party fair notice of the claim. Describe all issues you want the hearing examiner to consider.

**Do Not Just Refer to Supporting Documents:** You cannot state a claim with a reference to supporting documents (e.g., a petition alleging habitability issues cannot just say “see housing inspection report.”)

## 10. Date Formats

If a form calls for a date, then a month, day, and year must be provided. If that is not possible, at least a month and year must be provided.

## 11. Google Drives

Submitting documents/evidence via Google Drive is not allowed except to submit a single PDF or video that exceeds email file size limits.