

SANTA MONICA RENT CONTROL BOARD

1685 Main Street, Room 202 Santa Monica, CA 90401

(310) 458-8751

www.smgov.net/rentcontrol

DECREASE PETITION INFORMATION SHEET

If you believe there is a deteriorated condition or a loss of services in your apartment, you may file for a rent decrease under the Individual Rent Adjustment procedures established by Rent Control Regulations (Chapter 4).

The steps for filing a rent decrease petition are as follows:

- ❑ **Serve the landlord with a notice in writing that you intend to file a decrease petition.** You may use the Notice to Landlord provided in this packet, **or** you may write your own letter. In either case, it is essential that you specifically and clearly state the nature of all complaints or problems. If you use the attached form, you must check the appropriate category or categories, **and** explain each problem in detail.

For example, if you check broken window, state which window is broken and what the exact problem is: For example - "Kitchen window won't close completely and lock is broken".
- ❑ **Raise all issues in your notice for which you intend to seek a decrease.** If there are additional problems but you do not list them in your notice, Rent Control Board regulations may prevent you from filing another petition until six months after the decision on your first decrease becomes final.
- ❑ **Keep a copy of the notice you serve on the landlord.** You will need to submit a copy of the Notice/letter you initially served your landlord when you file your petition.
- ❑ **Complete a proof of service form.** A proof of service form is attached. After you serve your landlord with the Notice of Intent to File a Decrease or your own letter, complete the Proof of Service form. Be sure to keep the Proof of Service form with your important documents. It is your proof that you served the landlord with your Notice. You will need to submit the original Proof of Service Form at the time you file your petition.
It is not necessary to obtain Post Office Return Receipt notice.
- ❑ **At least thirty days but not more than 180 days after the date of service of the notice on the landlord, you may file the petition for a rent decrease with the Rent Control Board.** You may NOT check any category or raise any problem on the petition that was not raised in the original notice to landlord. Be sure to include all conditions which have not been corrected on the petition.
- ❑ **When you are ready to file the petition, please call a decrease screener at (310) 458-8751 to discuss the proper way to complete the decrease petition and to arrange an appointment to fill out the petition.** Please bring a copy of your notice/letter to the landlord and the **original** proof of service when you come in for your appointment at the Rent Control Board office.

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After You Submit the Decrease Petition. Once the petition is accepted for filing, it is promptly submitted to an Agency staff member trained to assist landlords and tenants in resolving disputes. The staff member notifies the parties by mail that the decrease petition has been filed and schedules a mediation conference in an attempt to resolve the problems informally.

Mediation can take several forms. The mediator holds an informal meeting with both parties. Sometimes the issues can be resolved through telephone conversations.

If all the issues raised in a decrease petition are not resolved through mediation, the unresolved issues are forwarded to the Hearings Department where the petition will be scheduled for a formal hearing. The parties will be sent a notice of the date, time, and location of the hearing at least ten (10) days prior to the hearing.

Hearing. In most cases, a Rent Control Investigator will call to make an appointment for an inspection of your unit before the hearing. Be prepared to point out to the inspector all conditions included on your notice and petition. Be sure to have a copy of your notice and petition available for reference during the inspection. The inspector will take photographs, prepare a written report, and testify at the hearing about the conditions in your apartment. For further information on preparing for a hearing, see the information brochure entitled "How to Prepare for a Rent Control Hearing."

Please note that if you are alleging services or amenities to your unit have been reduced, and your **tenancy began before January 1, 1999**, you must be prepared to prove these services were available to the unit in April, 1978. If the service is shown on the first registration form filed for the property, the burden of proof will be on the landlord to show it was not provided in April, 1978. If the service is not listed on the first registration form, the tenant must prove the service was provided in April, 1978.

If you moved in **1999 or later**, you must prove that the service or amenity was provided when you initially moved in.

Effect of Decrease in Rent. The decreases that are granted are always **prospective**. The Rent Control Board does not have the authority to grant a retroactive decrease. Please be aware that all decreases **are deducted from the existing Maximum Allowable Rent** - not a lower rent level you may be paying. Therefore, if the rent you pay **is less** than the Maximum Allowable Rent, the effect of any decrease **may not lower** the rent you are actually paying.

Other Places to Seek Help. If you believe there are conditions in your unit that violate any Housing or Health and Safety codes, you may also contact the City's Code Enforcement Division at (310) 458-4984 or the LA County Department of Health at (888) 700-9995 to file a complaint for these items with those agencies.

If you have any questions, please call the Rent Control Board at (310) 458-8751 and speak with an Information Coordinator for further assistance. Also the Board's web site at www.smgov.net/rentcontrol may be helpful.

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NOTICE TO LANDLORD TO REPAIR OR RESTORE SERVICES

Intent To File Petition For Rent Decrease

[Regulation 4003(c)]

To: _____,
(Landlord)

I intend to seek a decrease in my rent for unit # _____ at

_____, by filing a **Petition for Rent**
(street address)

Decrease with the Rent Control Board unless the conditions checked below are corrected or restored within 30 days.

Maintenance-Related Conditions

[Regulation 4200(d)]

Place an X in the blank to the left of the condition and specify in the space below the item where the problem exists.

- _____ 1. Serious infestation of insects or rodents
- _____ 2. Substantial holes in floors, walls, or ceilings
- _____ 3. Damaged wall or ceiling surface, including paint, wallpaper, plaster, drywall, or wood trim
- _____ 4. Water leakage through roof, windows, doors, walls, or ceiling
- _____ 5. Damaged or missing waterproofing or weather protection
- _____ 6. Defective plumbing, drains, sewage system, toilet facilities, sinks, showers, bathtubs, or plumbing fixtures
- _____ 7. Loss of or insufficient hot water or water supply
- _____ 8. Inoperative or damaged heating system or air conditioning
- _____ 9. Unsafe or inoperative electrical wiring, outlets, or fixtures

- _____ 10. Damaged window or door, including locks
- _____ 11. Damaged or missing window screen or screen door
- _____ 12. Damaged or missing window coverings, including drapes, curtains, shades or blinds
- _____ 13. Damaged or missing floor coverings, including carpets, carpet padding, hardwood, laminate, tile, linoleum, or vinyl
- _____ 14. Defective or inoperative appliance
- _____ 15. Broken fan or vent
- _____ 16. Deteriorated countertops
- _____ 17. Damaged or missing tile
- _____ 18. Damaged or missing caulking, grout
- _____ 19. Deteriorated or broken cabinets or drawers
- _____ 20. Broken or missing smoke detector, carbon monoxide detector, fire extinguisher, or fire sprinklers
- _____ 21. Defective or inoperative elevator
- _____ 22. Deteriorated porches, walkways, stairs, or railings
- _____ 23. Accumulation of garbage, debris or other inappropriate materials in common areas
- _____ 24. Broken or defective intercom
- _____ 25. Damaged or missing mailbox
- _____ 26. Inoperative or missing exterior lights
- _____ 27. Other [Regulation 4200(b)]: _____

Lost or Reduced Housing Services [Reg. 4200(f)]

_____	1. Parking
_____	2. Storage
_____	3. Furniture
_____	4. Laundry facilities
_____	5. Security gates, doors and fencing
_____	6. Recreational facilities
_____	7. Yards, patio, balconies, play areas
_____	8. Landscaping
_____	9. Gardening or yard care services
_____	10. Management services, including on-site management
_____	11. Number of occupants (see Regulation 4200(i) for calculation of decrease)
_____	12. Other [Regulation 4200(b)]: _____

If correcting the above maintenance conditions or restoring the above housing services requires access to my unit, please notify me in a timely manner so arrangements can be made.

If these conditions are not corrected or services not restored within thirty (30) days from the date of this Notice, I intend to file a Petition for Rent Decrease with the Santa Monica Rent Control Board.

signature of tenant

date

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Petition D-_____

PETITION FOR RENT DECREASE

[Regulation 4001A]

(office use only)

Site Address: _____ MAR: _____

MPP: _____ Date Submitted: _____

I. PETITIONER(S): _____

Name(s)

Street Address Unit Zip Code

(_____) _____ (_____) _____
Home Phone Cell Phone

Email Address Business Phone

Mailing Address: _____
(if different from above) Street Address City Zip Code

II. My current rent is \$ _____ **I moved into my unit on:** _____

I have an Authorized Representative. See information and signature(s) on Page 6.

III. LANDLORD INFORMATION: _____

Name

Street Address City State Zip Code

(_____) _____ (_____) _____
Home/Cell Phone Business Phone Email Address

IV. MANAGER INFORMATION: _____

Name

Street Address City State Zip Code

(_____) _____ (_____) _____
Home/Cell Phone Business Phone Email Address

V. MAINTENANCE RELATED CONDITIONS [Regulation 4200(d)]

Compare your **Notice To Landlord to Repair or Restore Services** with the list of conditions below. In **Column A**, place an **X** in any item that you have **also checked in your original Notice** that has **not** been repaired or restored.

The dollar values in **Column B** will be used by the Rent Control Board in determining the amount of rent decrease warranted by each situation.

The Hearing Examiner or the Board may grant a decrease that is greater or less than the amount shown based upon the evidence that is presented at the hearing. [Regulations 4200(e) and (h).]

Note: The conditions or services you check below must correspond to those conditions or services noted in your initial NOTICE TO LANDLORD or letter.

<u>A</u>	<u>CATEGORY</u>	<u>B</u>
_____	1. Serious infestation of insects or rodents	\$15 - \$175
_____	2. Substantial holes in floors, walls, or ceilings	\$15 - \$175
_____	3. Damaged wall or ceiling surface, including paint, wallpaper, plaster, drywall, or wood trim	\$15 - \$90
_____	4. Water leakage through roof, windows, doors, walls, or ceiling	\$15 - \$175
_____	5. Damaged or missing waterproofing or weather protection	\$15 - \$175
_____	6. Defective plumbing, drains, sewage system, toilet facilities, sinks, showers, bathtubs, or plumbing fixtures	\$15 - \$350
_____	7. Loss of or insufficient hot water or water supply	\$15 - \$220
_____	8. Inoperative or damaged heating system or air conditioning	\$15 - \$220
_____	9. Unsafe or inoperative electrical wiring, outlets, or fixtures	\$15 - \$260
_____	10. Damaged window or door, including locks	\$5 - \$90
_____	11. Damaged or missing window screen or screen door	\$5 - \$45

<u>A</u>	<u>CATEGORY</u>	<u>B</u>
_____	12. Damaged or missing window coverings, including drapes, curtains, shades or blinds	\$15 - \$175
_____	13. Damaged or missing floor coverings, including carpets, carpet padding, hardwood, laminate, tile, linoleum, or vinyl	\$15 - \$330
_____	14. Defective or inoperative appliance	\$15 - \$90
_____	15. Broken fan or vent	\$5 - \$30
_____	16. Deteriorated countertops	\$15 - \$45
_____	17. Damaged or missing tile	\$15 - \$45
_____	18. Damaged or missing caulking, grout	\$5 - \$30
_____	19. Deteriorated or broken cabinets or drawers	\$20 - \$60
_____	20. Broken or missing smoke detector, carbon monoxide detector, fire extinguisher, or fire sprinklers	\$15 - \$75
_____	21. Defective or inoperative elevator	\$15 - \$90
_____	22. Deteriorated porches, walkways, stairs, or railings	\$15 - \$175
_____	23. Accumulation of garbage, debris or other inappropriate materials in common areas	\$5 - \$45
_____	24. Broken or defective intercom	\$15 - \$40
_____	25. Damaged or missing mailbox	\$15 - \$45
_____	26. Inoperative or missing exterior lights	\$15 - \$65
_____	27. Other [Regulation 4200(b)]: _____	

VI. REDUCED HOUSING SERVICES [Regulation 4200(f)]

Tenants who moved into unit prior to January 1, 1999 - The housing services checked below that were included in the April 10, 1978 rent for my unit have been reduced or removed.

Or

Tenants who moved into unit on or after January 1, 1999 - The housing services checked below that were included in my initial rent for this unit have been reduced or removed.

<u>A</u>	<u>CATEGORY</u>	<u>B</u>
_____	1. Parking	\$30 - \$550
_____	2. Storage	\$5 - \$220
_____	3. Furniture	\$5 - \$275
_____	4. Laundry facilities	\$30 - \$175
_____	5. Security gates, doors, and fencing	\$30 - \$260
_____	6. Recreational facilities	\$15 - \$175
_____	7. Yards, patio, balconies, play areas	\$15 - \$175
_____	8. Landscaping	\$5 - \$90
_____	9. Gardening or yard care services	\$5 - \$90
_____	10. Management services, including on-site management	\$30 - \$115
_____	11. Number of occupants (see Regulation 4200(i) for calculation of decrease)	% of rent
_____	12. Other [Regulation 4200(b)]: _____	

VII. PETITION SUPPORT

Please state all information in support of your Petition for a rent decrease, including the names of any witnesses or any documents you have relied upon. List names of any persons you feel should attend a hearing (attach a separate sheet if needed). **Please notify your witnesses of the hearing date and time once scheduled.**

Have you received or do you have any knowledge of your landlord's receiving any notices or reports from City or County agencies regarding health or safety violations on the property?

_____ Yes _____ No

If yes, please explain: _____

If you have received any of the above-mentioned notices or reports, please attach these to this Petition.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. **(All petitioners listed on Page 1 must sign.)**

Executed on this _____ day of _____, 20____
at _____, California.

Signature of Petitioner

Signature of Petitioner

Signature of Authorized Representative

I have attached the following documents where applicable (check). **Items #1 & #2 are required in order to file this petition:**

- _____ 1. Copy of NOTICE TO LANDLORD or your letter to landlord requesting corrected conditions or restored services. [Regulation 4003(c)].
- _____ 2. A completed Proof of Service form [Regulation 4003(c)].
- _____ 3. Copies of any notices or reports you have received from any City or County agencies or departments.

VIII. REPRESENTATIVE AUTHORIZATION: I hereby authorize the party named below to act as my representative in proceedings on these matters. I authorize said representative to complete and execute under penalty of perjury Santa Monica Rent Control Board petitions and any response forms, notices, or proofs of service on my behalf. My representative is also authorized to appear for me at any hearing on this matter. I understand my representative will receive all notices, decisions, and other Board correspondence and will be responsible for notifying me of same.

I agree to be bound by each of the entries made by said person in this matter to the same extent as if I had executed it myself under penalty of perjury.

Representative Name

Street Address City State Zip Code

(_____) _____
Phone Number Email Address

Signature of Petitioner Print Name

Signature of Petitioner Print Name



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PROOF OF SERVICE

Reg. 4003(c)

I declare that I am over the age of eighteen years; that my address is _____, Santa Monica, CA; and that I served on my landlord a true copy of the attached notice to repair or restore services (hereafter "Notice") by the following method:

Select one below and complete a separate Proof of Service for each Notice served.

◀ MAIL ▶

I placed the Notice in an envelope addressed to the following person(s) at the address below:

_____ *person(s) served*

_____ *address*

The envelope was then sealed and postage fully prepaid. I deposited it in the United States mail at _____, California on the _____ day of _____, 20____.
city

◀ PERSONAL SERVICE ▶

I handed the Notice to my landlord or his/her authorized representative/manager as named below on the _____ day of _____, 20____, at the address or location below:

_____ *person(s) served*

_____ *address*

◀ EMAIL or FAX ▶

Email or Fax [*choose one*] is my normal mode of communication with my landlord.

I emailed or faxed the Notice to my landlord or his/her authorized representative/manager as named below on the _____ day of _____, 20____, at the address or number below:

_____ *person(s) served*

_____ *email address or fax number*

I declare under penalty of perjury that the foregoing is true and correct. Executed on this _____ day of _____, 20____, at _____, California.
city

_____ *signature*

_____ *print name*