

# Landlord Rent Petition Package

## Schedule A – Capital Improvement

### Purpose

This form is used in conjunction with the Landlord Petition Package Form to petition for an increase in rent associated with capital improvements made to the rental property. The Apartment Rent Ordinance allows landlords to petition to recover the cost of certain capital improvements made to the rental properties by passing through the cost of such improvements on an amortized basis to the affected units. Only the listed improvements are eligible, and Landlord must meet the applicable requirements below.

“Capital Improvements” as defined in the San José Municipal Code means an addition or modification to the property, building, or unit, that replaces or enhances an existing physical feature of the Rent Stabilized Unit or of a building containing a Rent Stabilized Unit, or that provides new Housing Services to the Tenants as compared to the level of services previously provided (SJMC 17.23.120).

The Specified Capital Improvement must do at least one (1) of the following (SJMC 17.23.330(A)(2)):

- **Category a:** Increase the safety (including ADA accessibility), sustainability (water or energy conservation), or seismic readiness of the Rent Stabilized Unit (or of a building containing a Rent Stabilized Unit); and/or
- **Category b:** Provide new Housing Services or enhance Housing Service functionality to the Tenants.

Landlords must petition for and receive an Administrative Decision authorizing a pass through of the cost of the improvements to the Tenants (SJMC 17.23.330(B)). The specified Capital Improvement must have been completed within the twelve (12) months prior to the filing of the petition (SJMC 17.23.330(A)(3)). The pass-through may not exceed 3% of the rent legally authorized at the time the petition is filed (SJMC 17.23.320(B)).

Briefly describe your capital improvement project:

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- **Date improvement project was completed:** \_\_\_\_\_
- **Building permit number(s):** \_\_\_\_\_  
If a building permit is not required, provide a detail explanation and submit documentation to your claim.
- **Total cost of the capital improvements:** \_\_\_\_\_  
Please provide invoices and proof of payment.
- **Number of units benefitting from the improvements:** \_\_\_\_\_
  - Occupancy status of each unit: \_\_\_\_\_
  - Rent charged for each unit: \_\_\_\_\_
- **Proposed pro-rata, amortized cost to be passed through to each unit:** \_\_\_\_\_

*Instructions for filing on reverse side.*



## 1. Complete spreadsheet

Complete the spreadsheet entitled “Capital Improvement Rent Increase Calculation (Landlord Schedule A.1).” If the improvements cover multiple buildings or benefit different units, multiple spreadsheets must be attached.

## 2. Required architectural and structural costs

Required architectural and engineering costs for structural work may be included in the following seismic retrofit claims:

- Foundation Repair
- Foundation Replacement
- Foundation Bolting
- Masonry-Chimney Repair
- Shear Wall Installation
- Iron or Steel Work
- Soft Story Retrofit

## 3. Provide copies of invoices, building permits, and other supporting documentation

- Provide before and after photos of your capital improvement where necessary.
- List detail cost of work to be done for each unit listed.
- Submit payment for work done for each unit listed.

The following items are allowed to be included as pass-throughs to the Tenants once authorized:

Type of Improvement	Amortization Period	Type of Improvement	Amortization Period
ADA Driveway Egress	10	Insulation	10
ADA Ramps	10	Structural Iron or Steel Work	20
Air Conditioning	10	Masonry-Chimney Repair	20
Drought Tolerant Landscape	5	Security System (including security gates and fencing)	10
Elevators	20	Shear Wall Installation	20
Fire Alarm System	10	Soft Story Retrofit	20
Fire Escape	10	Solar power panels	10
Fire Sprinklers/Retardant System	10	Submetering	10
Foundation Bolting	20	Windows	10
Foundation Repair	20		
Foundation Replacement	20		

## 4. Submit application

This application must be submitted in a single, signed hard copy, or a scanned electronic version of the hard copy. The electronic versions of all application forms and spreadsheet must also be included. If additional space is needed to describe your project, additional pages may be printed and submitted with your petition.