

# Tenant Opposition Statement

Date: \_\_\_\_\_ Case: \_\_\_\_\_ Address: \_\_\_\_\_

**Purpose:** The purpose of this form is to provide a written opposition statement response to the completed Petition within 30 days to the Rent Stabilization Program located at 200 E. Santa Clara St, San José, 95113 or via email at [rsp@sanjoseca.gov](mailto:rsp@sanjoseca.gov). A tenant opposition statement is used to contest the issues and/or facts raised in the Petition and may be accompanied with supporting documentation (i.e. pictures, correspondence, etc.). You may provide a written response on the back of this page.

**Note: Review the instructions attached to this Tenant Opposition Statement carefully before attempting to complete this form. You may also amend your statement.**

## **Box 1 Tenant Information**

Name: _____	
Address (include unit number): _____	
Home Phone: (_____) _____	Work Phone: (_____) _____
Cell Phone: (_____) _____	Email: _____
The best way to contact me is: <input type="checkbox"/> Email <input type="checkbox"/> Mail <input type="checkbox"/> Phone: _____	

## **Box 2 Designated Representative (Tenant's Authorized Representative)**

<input type="checkbox"/> I authorize _____ as my representative. He/She may provide, request, receive information/evidence/testimony, negotiate, sign on my behalf on matters in this dispute, and should be placed on the mailing list. <u>(Correspondence will be sent to your representative)</u>
Representative Name: _____ Phone: (_____) _____
Address: _____
Email: _____
Please complete and return within 21 days of the date of the City's Notice of Complete Petition to the Rent Stabilization Program at 200 E. Santa Clara St. San José, CA 95113.

## **Box 3 Petition & Notice Information**

I received a notice from my Landlord of a Fair Return Petition for rent increase on this date: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No I received a notice that the Landlord's petition was complete and available for review at City Hall (Notice Complete Petition).
<input type="checkbox"/> Yes <input type="checkbox"/> No I have filed a service reduction petition with the City's Rent Stabilization Program.

**Box 4 Tenancy Information**

Date I moved into this apartment: \_\_\_\_\_

List any other units on the property your household has occupied and the dates:

\_\_\_\_\_

Yes  No Did you sign a written lease? If yes, please provide a copy of your lease if you have it.

**Box 5 Rent Information**

Current monthly rent: \_\_\_\_\_ Date of Last Rent Increase: \_\_\_\_\_

List any other fees that your Landlord charges in addition to rent and when those fees last increased:

Garbage  Parking  Utilities (Gas/Water)  Pet Rent/Pet Deposit  Storage

Other: \_\_\_\_\_ Date of last fee increase: \_\_\_\_\_

My Landlord reduced my rent by \$ \_\_\_\_\_ because I provide the following services:

I am the on-site manager  I provide maintenance  Other: \_\_\_\_\_

**Box 6 Opposition Grounds (complete A or B)**

A.  I am filing before I have reviewed the landlord's petition. I understand that I must amend this petition to complete Section B and attach documents within 30 days of the City Complete Petition Notice. (5.03.4)

B.  I plan to oppose the landlord's petition for the following reasons:

The income is incorrect because some or all of the rents shown are incorrect.

The income is incorrect for other reasons. Those reasons are: \_\_\_\_\_

Some or all of the expenses shown are incorrect or were not incurred at the time stated.

Some or all of the improvements or repairs listed were not completed.

Some or all of the improvements or repairs listed were needed only because prior work was delayed or was substandard.

If the landlord checked the "Base Year Challenge" box on the Fair Return Petition Notice and your Notice, saying the 2014 Base Year Net Operating Income will be challenged AND you were a tenant on the property in 2014:

The 2014 rents were not unusually low.

The 2014 expenses were not unusually high.

Some or all of the 2014 expenses were due to intentionally deferred maintenance and repairs.

The building had housing code or other violations of the Ordinance in 2014.

Some or all of the 2014 substantial capital improvements claimed did not improve housing services.

The property did not have the claimed quality, amenities and condition in 2014.

**You must provide proof (documentation) supporting your claims to the Rent Stabilization Program within 30 days of the date of the City Complete Notice.**

**Box 7 Declaration**

**Declaration:**

I (we) declare under penalty of perjury under the laws of the State of California that the foregoing and all attached pages, including documentation, are true, correct, and complete.

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

Print Name: \_\_\_\_\_

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

Print Name: \_\_\_\_\_

**Questions? Contact Us:**

The City of San José Rent Stabilization Program is available to answer your questions at **408-975-4480** during normal business hours: Monday - Friday, 8:00 a.m. to 5:00 p.m., although no member of the staff can or will give legal advice to the public. You can also visit the City's website at [www.sanjoseca.gov](http://www.sanjoseca.gov).

**Para residentes que hablan español:** Si desea mas información, favor de llamar a Theresa Ramos al 408- 975-4475.

Muốn biết thêm chi-tiết, xin vui lòng liên lạc Hạnh Lê, Đ.T. 408- 795-4404.

**對於說華語的居民:** 請電408-975-4450 向Ann Tu 詢問詳細事宜。說粵語的居民則請撥打 408-975-4425 與Yen Tiet 聯絡。

**Important:** Tenants are encouraged to review the Landlord's petition and evidence as soon as possible. Tenants may file and/or amend their opposition statement and supply additional documents to RSP until 30 days after the date of the City Complete Notice.



