

# Appeal Request or Breach of Voluntary Agreement – Form 10

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

**Purpose:** The purpose of this form is to allow parties to either appeal an administrative decision or claim a breach of a voluntary agreement. The appeal request must be submitted in writing on this form and returned to the Rent Stabilization Program within the specified timeline as described in the City’s [Apartment Rent Ordinance](#) and its [associated Regulations](#).

**Appealing Party Information:**  Tenant  Landlord  Proxy for Tenant or Landlord

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_

**Type of Appeal:** *Please select one of the boxes below and detail the reason for appeal on the back of this page.*

**Administrative Decision (Within 30 Days):** Pursuant to Regulations 6.06, any Party to a Petition may appeal the Administrative Decision, as it may be revised, to the Director. Appeals must be made within 30 days of the mailing date of the revised Administrative Decision or notice that the Administrative Decision will not be revised. If no Party appeals to the Director within 30 days of said date, the Administrative Decision will be considered a final Decision.

**Breach of Voluntary Agreement (Within 90 Days):** Pursuant to Regulations 7.04.6, where the voluntary agreement contains a section making a violation of the material terms subject to review by a Petition Examiner under the Ordinance and Regulations, a written claim of violation may be filed within 90 days of the date of its filing, provided that the party filing the claim has sent a written request to the violating party to perform one or more specific material items to be performed under the voluntary agreement. The written claim must contain a copy of the request to the violating party and the party making the claim must send a copy to the violating party. If the Petition examiner determines that there has been a breach, a hearing will be scheduled under Section 7.05.

**Mediator Written Decision (Within 10 Days):** Pursuant to Regulations 7.04.7, where a voluntary agreement is not possible, or if one of the parties does not agree to a voluntary agreement, the Hearing Officer will make a written decision regarding Housing Services Reduction or Housing Code Violations, and any other claims. Any party to this decision may appeal in writing to the Director within 10 days of the issuance of the decision. An appeal should include additional evidence that supports the reasons for contesting the administrative decision or hearing decision.

**Hearing Decision (Within 30 Days):** Pursuant to Regulations 7.14, any Party to a Hearing may appeal the Hearing Decision to the Director. Appeals must be made within 30 days of the mailing date of the Hearing Decision. If no Party appeals to the Director within 30 days, the Hearing Decision will be considered a final Decision.

**Signature:** I declare under penalty of perjury under the laws of the State of California that this information and every attached document, statement, and form is true and correct to the best of my knowledge and belief.

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

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



**Rent Stabilization Program**  
**City of San José Housing Department**  
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