



City of East Palo Alto  
Office of the City Manager  
Rent Stabilization Program  
2415 University Avenue, 2<sup>nd</sup> floor  
East Palo Alto, CA 94303  
Tel: 650-853-3157 / Fax: 650-853-3115  
[rentprogram@cityofepa.org](mailto:rentprogram@cityofepa.org)

## **INSTRUCTIONS FOR REQUESTING A CERTIFICATE OF MAXIMUM ALLOWABLE RENT UNDER SECTION 8(I) OF THE 2010 RENT STABILIZATION AND JUST CAUSE FOR EVICTION ORDINANCE AND SECTION 1020 OF THE RULES & REGULATIONS**

To obtain a Certificate of Maximum Allowable Rent after an Initial Certificate of Maximum Allowable Rent had been issued for the existing tenancy, landlords and tenants must make a request for a Certificate of Maximum Allowable Rent from the Rent Stabilization Program. To obtain a certificate, please follow the instructions below. For information about issuance of a certificate, please consult Section 8(I) of the 2010 Rent Stabilization and Just Cause for Eviction Ordinance ("2010 Ordinance") and Section 1020 of the Rules and Regulations.

### **REQUESTING A CERTIFICATE**

#### **THE REQUESTING PARTY MUST PROVIDE THE RENT STABILIZATION PROGRAM WITH THE FOLLOWING DOCUMENTS:**

1. An accurate and fully completed "Request for Certificate of Maximum Allowable Rent,"
2. Section 1020 Calculation Table,
3. Documentation that supports the submitted Section 1020 Calculation Table (e.g., lease agreement, rent increase notices, banking rent notices, and notice of abatement), and
4. A proof of service evidencing that the other party was served with all of the foregoing documents provided to the Rent Stabilization Program as part of the request (*i.e.*, copy of the instructions, request, Section 1020 Calculation Table, and any other supporting documents).

When a landlord requests a Certificate of Maximum Allowable Rent, but has not supplied complete information or has not substantially complied with the requirements of the 2010 Ordinance (e.g., registration requirements), the request for the certificate will be denied until the landlord has submitted a complete request or until the landlord substantially complies with the 2010 Ordinance.

The Rent Stabilization Program should issue a Certificate of Maximum Allowable Rent within five (5) business days of the date the request is filed.

The Maximum Allowable Rent stated in the Certificate is, in the absence of intentional misrepresentation or fraud, binding and conclusive for the time period stated on the Certificate, unless the landlord or tenant appeals the determination of the Maximum Allowable Rent unless the landlord or tenant objects to the rent stated on the Certificate.

### **FACTORS TO BE CONSIDERED IN THE ISSUANCE OF A CERTIFICATE**

The calculation of the rent level in the Certificate of Maximum Allowable Rent begins with the most recent certified rent for the current tenancy, which shall be controlling and not subject to objection or challenge in an appeal of the Certificate of Maximum Allowable Rent.

The new certified rent is then calculated by increasing the most recent certified rent by the Annual General Adjustments to which the landlord is entitled since the most recent certification, subject to the applicable limitations regarding the banking of rent increases, and any other applicable limitations on the application of Annual General Adjustments, such as substantial compliance with the 2010 Ordinance (e.g., registration requirements).

However, if no rent level has ever been certified for that tenancy, an Initial Maximum Allowable Rent must first be established. A new certified rent is then calculated, pursuant to a valid request, as set forth above. Similarly, if a landlord has not complied with vacancy registration requirements for a new tenancy, a certification shall not issue in response to a landlord's request unless and until the landlord has complied with the vacancy registration requirements and the period for consideration of objections to the new certification has expired.

In situations where the property is not in substantial compliance with the registration requirements or where the Board has determined that the landlord was otherwise ineligible for any Annual General Adjustment, the adjustment for the year(s) in question will not be included in the computation of the Maximum Allowable Rent.

Where applicable, all determinations made during proceedings in which the Maximum Allowable Rent for a unit is adjudicated (e.g., Individual Rent Adjustment hearings or in any Rent Withholding for Nonregistration hearings) are controlling. The Maximum Allowable Rent set at these proceedings shall be taken into account and the Maximum Allowable Rent that is ultimately certified pursuant to a request shall not alter or supersede the results reached at these proceedings.

### **OBJECTING TO A CERTIFICATE**

Any landlord or tenant of the property, may petition for a hearing to object to the certified rent stated on the Certificate of Maximum Allowable Rent.

The objection must be filed with the Board not more than fifteen (15) calendar days after the date of mailing of the Certificate of Maximum Allowable Rent.

Any person objecting to a Certificate must do so on a form provided by the Rent Stabilization Program. An objection shall be accepted for filing only after the objecting party has provided all the information called for by the form.



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**REQUEST FOR A CERTIFICATE OF MAXIMUM ALLOWABLE RENT UNDER SECTION 8(I) OF  
THE 2010 RENT STABILIZATION AND JUST CAUSE FOR EVICTION ORDINANCE AND SECTION  
1020 OF THE RULES & REGULATIONS**

I, \_\_\_\_\_, request the Rent Stabilization Program issue a Certificate of Maximum Allowable Rent for the current tenancy at \_\_\_\_\_, Unit No. \_\_\_\_\_, East Palo Alto, CA.

The Initial Maximum Allowable Rent for the current tenancy has  / has not  been previously certified by the Rent Stabilization Program.

The Maximum Allowable Rent for the current tenancy has  / has not  been previously certified by the Rent Stabilization Program under Section 1020 of the Rules and Regulations.

Has the Maximum Allowable Rent been determined in Individual Rent Adjustment hearings or in any rent withholding for nonregistration hearings?

Yes  / No

If yes, type of hearing (check one):  Individual Rent Adjustment  
 Rent Withholding for Nonregistration

Case No. \_\_\_\_\_ Date \_\_\_\_\_

With this request, I am filing a Section 1020 Calculation Table and the required supporting documents.

I declare under penalty of perjury of the laws of the State of California that the foregoing information is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

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

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

Check One:  Landlord  Tenant

**PROOF OF SERVICE**

I, the undersigned, declare that at the time of service I was over 18 years of age and a resident of the County of San Mateo. My address is \_\_\_\_\_ in \_\_\_\_\_, CA \_\_\_\_\_.

On \_\_\_\_\_, \_\_\_\_\_, I served the following documents:

- a) **COPY OF INSTRUCTIONS FOR REQUESTING A CERTIFICATE OF MAXIMUM ALLOWABLE RENT UNDER SECTION 8(I) OF THE ORDINANCE AND SECTION 1020 OF THE RULES & REGULATIONS.**
- b) **COPY OF THE REQUEST FOR CERTIFICATE**
- c) **COPY OF SECTION 1020 CALCULATION TABLE**
- d) **COPY OF SUPPORTING DOCUMENTS ATTACHED TO REQUEST FOR CERTIFICATE**

**RE: Resident Unit at: \_\_\_\_\_, East Palo Alto, CA**

[ ] **BY PERSONAL DELIVERY** by delivering a true copy thereof enclosed in a sealed envelope, to the following person(s) at the address(es) set forth below:

[ ] **BY MAIL** by placing a true copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail to the following person(s) at the address(es) set forth below:

I declare under penalty of perjury of the laws of the State of California that the foregoing information is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

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

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